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JEAN PIER/ PIER 4

TRANSCRIPT OF TESTIMONY



March 24, 1987

CITY OF BOSTON
RAYMOND L. FLYNN
Mayor

BOSTON REDEVELOPMENT AUTHORITY
STEPHEN COYLE
Director

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Chairman

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Vice-Chairman

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Treasurer

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Vice-Treasurer

MICHAEL F. DONLAN
Vice-Chairman, Sub-Committees

KANE SIMONIAN
Secretary

FAN PIER/PIER 4 PUBLIC HEARING
March 24, 1987

Opening statement by Robert L. Farrell, Chairman

STAFF PRESENTATIONS

Paul L. McCann, Executive Assistant to the Director
Susan Allen, Assistant Director for Development and Urban Design
Alex Ganz, Assistant Director for Policy Development and Research
Homer Russell, Director of Urban Design
Richard Garver, Assistant Director for Special Projects

ELECTED OFFICIALS

Letter from Mayor Raymond L. Flynn read by Stephen Coyle
Statement by Councillor Kelley
Statement by Councillor Iannella
Statement by Councillor Mennino
Statement by Councillor Scondras
Statement by Councillor Hennigan

PRESENTATION

Richard Friedman, Carpenter & Co. (Developer Fan Pier)
Ellen Watts, Boston Mariner Co. (Developer Pier 4 Project)
Michael McKinnell, Kallmann, McKinnell and Wood
Cesar Pelli, Cesar Pelli and Associates

ELECTED OFFICIALS

Statement by Councillor Tierney
Statement by Councillor McCormick

PRESENTATION CONTINUED

Statement by William H. White
Richard Hangen, Vanasse Hangen Brustlin
Robert Kaye, Skidmore Owings and Merrill
Karen Alschuler, Skidmore Owings and Merrill
Anthony Athanas

PROPOSERS

Charles J. Sabatier Jr., Executive Director, Mayor's Commission on Handicapped Affairs
Kristen McCormick, Director, Mayor's Office of Jobs and Community Services
Larry Dwyer, Chairman, Fan Pier/Pier 4 CAC
Richard D'Amico, Commissioner, Boston Transportation Department
Lorraine Downey, Chairperson, Harbor Park Advisory Committee
Letter from Robert J. Ciolek, City of Boston, Office of Budget and Program Evaluation, read by Robert L. Farrell
Bruce Rossley, Commissioner, Office of the Arts and Humanities

FAN PIER HEARING CON'D

OPPONENTS

Arthur Lane, Boston Shipping Associates
Elizabeth Johnson, Mass. Audubon Society
Professor Stephen Ferrey, Suffolk Law School, resident of Newton
Ms. Martine Gambale, Mass. Fair Share Home Buyers Union and
Boston Linkage Coalition
Armond Cohen, Conservation Law Foundation
Bob van Meter, Mass. Tenants Organization

PROPOSERS

Joseph Nigro Jr., Secretary, Building and Construction Trades Council
David Ross, Institute of Contemporary Art
Robbin Peach, Fort Point Arts Community
Todd Lee, Boston Society of Architects - Fan Pier Focus Team
Kenneth Brecher, Executive Director, Children's Museum

OPPONENTS

Paul Greene, Fort Point Channel Arts Community

PROPOSERS

Marylin Arsen, Director, MOBIUS
John Alekney, Flood Square Hardware
Peter Benton
Jean McQuilquin, Boston Wharf Co.
Mary Kelsey
Alan B. Circeo, A.C. Cruise Line
Stephen Dunleavy, World Trade Center
Andy Sarno, resident of Saugus
Thomas Ennen, Executive Director, Boston Harbor Associates

Per Simonian - 10/18/87

BOSTON REDEVELOPMENT AUTHORITY

HEARING ON THE PROPOSAL
OF THE
FAN PIER/PIER 4 PROJECT

Before the BRA Board: Mr. Farrell, Chairman
Mr. Coyle
Mr. Donlan
Mr. Flaherty
Mr. Jones
Mr. Simonian
Mr. Walsh

Faneuil Hall
Tuesday, March 24, 1987
2:00 p.m.

O'BRIEN & LEVINE COURT REPORTING SERVICES, INC.
1285-87 Commonwealth Avenue
Boston, Massachusetts 02134
(617) 254-2909

1 CHAIRMAN FARRELL: This is a public hearing for
2 the Boston Redevelopment Authority being held in
3 conformity with Section 3F, 1(a) of the Boston Zoning
4 Code to consider the development plans of PDA Areas
5 No. 23 and 24 submitted by the ATC Associates and the
6 Boston Marina Company for the Fan Pier and Pier 4. The
7 hearing was duly advertised on St. Patrick's Day in
8 accordance with the Authority's procedures.

9 For this Boston Redevelopment Authority
10 hearing on a development plan for a planned development
11 area, or a PDA, the Authority staff will make a brief
12 presentation. I understand that it will take
13 approximately fifteen minutes to make that presentation.
14 The development teams will be then given thirty minutes
15 to make a presentation, subject to questioning by members
16 of this Authority only. Elected public officials will
17 certainly be given an opportunity, and following that
18 presentation, to address the Authority.

19 Following this, we will give opponents a
20 thirty minute opportunity to address the Authority.
21 Following thirty minutes of opponents, I will go back
22 and listen to thirty minutes from those who support the
23 proposal, and then back again, thirty minutes, to those
24 who are in opposition to the proposal. And we will

1 continue to follow that procedure until we have heard
2 everyone who wishes to address the Authority on this
3 matter. I think in this manner, we will give everyone an
4 opportunity, up front, to express their particular
5 viewpoints.

6 The official record for the Authority, from
7 both proponents and opponents will remain open until
8 Monday, March 30th, '87, until noontime on that day.
9 Written other comments on the matters that have been
10 raised in this hearing are welcomed. Thereafter, parties
11 will be given until Thursday, April the 2nd of this year,
12 to submit rebuttal arguments as to any additional
13 commentary. It will be made available for anyone who
14 wants to see.

15 The final record of the public hearing will
16 be considered complete at 12:00 noon on April 2nd, and
17 we will have the record assembled and forwarded to the
18 members of the Authority. The additional commentary and
19 rebuttal arguments will be made available for public
20 viewing in the Office of the Secretary of the Authority
21 and in the Library of the Authority.

22 I'd like to note that the public review
23 process to these projects has been open and thorough.
24 The Citizens Advisory Committee is to be commended for

1 two year review, which I personally consider, a model of
2 the various neighborhood review processes.

3 We will first hear from the staff. We will
4 hear from Paul McCann, and Susan Allen, and Alex Ganz,
5 Homer Russell, and Dick Garver.

6 MR. McCANN: Members of the Board, my name is
7 Paul L. McCann. I'm the Executive Assistant to the
8 Director of the Authority.

9 As you are aware, the Fan Pier and Pier 4
10 projects are a mix of homestyle office, retail, and
11 housing development. It has gone through an extensive
12 community review process in order to bolster the massive
13 PDA process that are now the submissions that are before
14 you today.

15 The Master PDA was approved by the Authority
16 February of 1986. Since that time, the developers have
17 submitted their final environmental impact reports to the
18 State, received on February 7th of this year the
19 Secretary for Environmental Affairs' approval of that
20 final environmental impact report with the stipulation,
21 however, that the developer must complete the additional
22 analysis. Said additional reports are now being finalized
23 by the developer; however, many of the issues he addressed
24 to the State have now been incorporated in the PDA concept

1 before you today and have been included in the files
2 before you to consider it submitted as supporting
3 documentation at the hearing.

4 The PDA submission before you today involves
5 two separate projects, the Fan Pier project entitled PDA
6 No. 23 and Pier 4 project entitled PDA project No. 24.
7 The documents submitted in conjunction with these
8 development plans is the most thorough and complete
9 submission of any of the twenty-two previous PDA projects.
10 However, changes, upon occasion, may possibly shift them
11 out of the PDA process.

12 When the Authority acts on these developments,
13 the Authority will also be recommending their approval by
14 the Zoning Commission. However, the Authority's goal,
15 and the CAC's goal does not stop there. In fact, the
16 Authority will be involved, its members, its plans,
17 in the (inaudible) access plan for many years
18 to come. As the PDA zoning rule requires, in any PDA
19 project, that each and every plan must be subject to the
20 full Authority's designing and process.

21 An additional fact that many people are not
22 aware of is that the Zoning Commission cannot issue any
23 building permit within an approved PDA project unless each
24 and every plan is termed by the Authority to be

1 consistent with the developer's plan previously approved.
2 This is very important, too. When it's available for PDA,
3 then it's unavailable for nowhere else. It is a PDA--
4 It is their PDA protected public process. This ongoing
5 review by the Authority, along with the added protection
6 supported by the corporation, which are the legally
7 binding documents we both assign to assure that all the
8 redevelopment obligations, including the creation of
9 affordable housing, the production of over sixty percent
10 of the site for open space in the Harbor market are fully
11 complied with.

12 It is important to know, also, the draft
13 (inaudible) being submitted to you today-- They can
14 revise, if necessary, as a result of the CAC and the
15 public hearing process, to modify or amplify any
16 commitment that is an important part of the PDA
17 submission. Revised master (inaudible) would then be
18 submitted when the proposed goals for PDA were considered
19 by the Authority.

20 The extensive review process by the CAC,
21 the community, the Authority, and the City have shaped
22 the project and brought it to the point of today's
23 hearing. However, the citizen input at this hearing
24 (inaudible) are important to complete the PDA record

1 guide the Authority.

2 Thank you, Mr. Chairman.

3 CHAIRMAN FARRELL: I have a question,
4 Mr. McCann. I do understand there are two separate PDA's,
5 one for the Fan Pier and the other for Pier 4. But this
6 Authority is considering them both as a unit; are they
7 not?

8 MR. McCANN: Yes, we are. The main two
9 documents which are the development plan and the
10 corporation are distinct, but there's forty documentation
11 of high volume to redefine all the benefits, all the
12 traffic accesses, all the infrastructure into one set
13 of reports so that you can take them at the same public
14 hearing jointly. When you finally (inaudible), they will
15 be separate votes obtained from the Authority.

16 MS. ALLEN: Mr. Chairman, members of the Board,
17 my name is Susan Allen. I am the Assistant Director for
18 Development and Urban Design. I will speak briefly today
19 about the public review process for the Fan Pier and
20 Pier 4 projects, and highlight some of the major project
21 changes which have occurred as a result of this project
22 review.

23 Prior to this afternoon's hearing, there has
24 been a two and a half year intensive public review of the

1 development plan. This review commenced in 1984 with the
2 submission of the two master plan proposals that Paul
3 McCann described. The development plans and documents
4 before you today incorporate many of the comments that
5 have resulted from public review, including numerous
6 community reviews, environmental analysis, and BRA design
7 review. During this time, there have been approximately
8 two hundred meetings on these projects with the community
9 public agencies and interested groups. Of these two
10 hundred meetings, over seventy of those have been open
11 public meetings, many of them with the Citizen Advisory
12 Committee.

13 As a result of the issues raised during this
14 review process, major design revisions have been made in
15 the two projects. Some of the more significant ones
16 include the following.

17 FAR Reduction. A reduction in overall FAR's
18 from 4.7 to 4.25 in the two projects combined have
19 occurred. Commercial FAR's in those projects have been
20 capped. In the Fan Pier project, this has been capped at
21 2.25 commercial FAR's. And in the Pier 4 project, this
22 is capped at an FAR of 2.00.

23 Height Reduction. The initial proposal for
24 this project included twelve buildings above 150 feet.

1 Due to the concerns raised by the community about
2 environmental impacts and crime issues, currently, only
3 seven buildings are above 150 feet in height. Every
4 building in each of these developments has received some
5 height reduction as a result of the review. For example,
6 the hotel in the Fan Pier project has been reduced from
7 approximately 550 feet in the original proposal to
8 450 feet. And the waterfront residential component of
9 the Pier 4 project has been reduced over 150 feet from the
10 original proposal of 300 feet to 122 feet. These are just
11 some examples of the height reductions. There are a
12 number of other ones that have occurred.

13 Open Space Plan. A third area of major change
14 has been improvement to the open space plan of these
15 projects. The overall designs of the open space have been
16 changed to provide more usable public space and to provide
17 sidewalks and bridges which are accessible to the
18 handicapped. The island elevation for the Fan Pier
19 project has been reduced by two feet to help accomplish
20 this. In addition to that, the promenade of water's edge,
21 known as Harbor Walk, has been increased from the
22 originally proposed 15 feet to 27 feet. And the Canal
23 Walk on the northern side has been increased to 25 feet
24 to accommodate outdoor uses. The park next to the Fan

1 Pier Hotel has also been increased to 125 feet. There
2 have been many areas in the plans where retail uses have
3 been added to the ground floor to enhance the level of
4 activity at the ground plane. The open space plans have
5 been improved to be clearer and more easily identifiable
6 as public open space.

7 There are many other changes which have
8 resulted from the public review process, and these will
9 be outlined in more detail by the proponents in their
10 presentation.

11 CHAIRMAN FARRELL: Mr. Ganz.

12 MR. GANZ: Mr. Chairman, members of the Board,
13 my name is Alex Ganz. I'm Assistant Director for Policy
14 Development and Research. I will speak very briefly this
15 afternoon about the prospects for the Boston economy,
16 and jobs, and the market for office space, hotels, and
17 housing.

18 As you know, the Boston economy is thriving.
19 It has been on an upswing since 1976, with record growth
20 the last three years of employment and development, as
21 well as population and housing. And, more than that, the
22 Boston economy has alternative prospects for the future
23 according to national projections by review experts in
24 jobs analysis and the National Funding Association of

1 (inaudible.)

2 These outstanding prospects flow from the
3 personal transformations that we have experienced.
4 The relevant concentration of the Boston society and the
5 relevant sections of the economy are (inaudible) most
6 graphically nationally. Now, one should pause to note
7 that the situation was not as robust. As recently as
8 eleven years ago, Boston had an unemployment rate of
9 12 percent. Boston had a large population loss in 1970
10 to 1980; and, until about eight years ago, Boston was
11 experiencing a substantial disinvestment in housing.
12 This is all to say that while the prospects are good,
13 -they need measuring, and this is something that should
14 be kept in mind.

15 Now, to the specifics of the outlook and the
16 implications for the Fan Pier project, Boston has made
17 12,000 jobs a year in the last three years. The outlook
18 is for at least 10,000 jobs a year in the next several
19 years. Boston has experienced (inaudible) office space,
20 more than two million square feet a year in the last
21 three years. The outlook is for at least a million and
22 a half square feet over the next several years. Now,
23 there is a close tie-in between employment, office space,
24 and hotel demands. Boston's hotels try to operate out

1 operate out of 50 percent business visitors, 30 percent
2 of convention goers, so that Boston is going to need hotel
3 rooms also, and it's indicated about a thousand rooms a
4 year, which is combined with projections of future demand.
5 In housing, all of you know what has been happening. We
6 have a terrible shortage with escalation in prices. We
7 need about three or four thousand houses, at least, a
8 year.

9 Now, the Fan Pier project is very important to
10 both measuring growth and helps meeting the requirements
11 of growth. The Fan Pier project, when completed, will
12 provide about 10,000 of permanent jobs. About 80 percent
13 of these will be office jobs. Fan Pier represents an
14 extension of the financial district office market, which
15 is the dominant office market in the City, making up
16 70 percent of our office space, a mark that is rising and
17 that, in terms of the space, we very much need to extend
18 to the Fan Pier area. Fan Pier can provide 10,000 office
19 jobs. And Fan Pier, consequently, will also need hotel
20 space of eight to nine hundred rooms.

21 Now, not only is Fan Pier important for the
22 economy, but it's also important for housing. Fan Pier
23 is on the periphery of an area that is the largest
24 development space that is undeveloped in the City. We

1 count on it to provide about fifteen hundred housing units
2 physically on the (inaudible).

3 So, this is the contribution that Fan Pier can
4 make to the economy. It's a contribution that must be
5 nurtured if Boston is to achieve the jobs and
6 opportunities that we are all looking for. Thank you.

7 CHAIRMAN FARRELL: Mr. Ganz, what guarantees,
8 if any, do we have that the jobs that you are talking
9 about to be generated by these projects, if approved,
10 whether temporarily or permanently, will go to the
11 residents of the City of Boston?

12 MR. GANZ: Yes, the situation is that-- I was
13 -under the----

14 CHAIRMAN FARRELL: I think you would agree that
15 it is desirable for us to provide the jobs to the citizens
16 of this City before they are (inaudible) seniority.

17 MR. GANZ: Oh, absolutely. And I think that--
18 I think there are good prospects. You will hear some of
19 the measures that will be taken for job training and also
20 for the employment of Boston residents. Let me say that,
21 as of 1985, Boston resident workers accounted for only
22 one-third of the jobs in Boston; but, that in the last
23 three years, with the entrance of 36,000 jobs everyday,
24 Boston resident workers improved the capture rate to

1 40 percent. The City's goal is to increase the capture
2 rate to 50 percent, and some of the public benefits and
3 measures and guarantees of preference for employment of
4 residents both on construction jobs and the training
5 programs for the (inaudible) jobs are measures that were
6 designed to achieve this goal of 50 percent capture rate.

7 CHAIRMAN FARRELL: Thank you, sir. I'll
8 recognize Mr. Coyle with a question for Mr. Ganz.

9 MR. COYLE: Mr. Ganz, did you say, for the
10 record, that for the past three years the capture rate for
11 Boston residents had gone from 40 percent?

12 MR. GANZ: Yes. This was an improvement over
13 the previous period of a year.

14 MR. COYLE: Is this also an improvement over
15 what the condition is in the market, generally?

16 MR. GANZ: Yes.

17 MR. COYLE: And would it be a factor of two
18 perhaps? Almost?

19 MR. GANZ: Yes.

20 MR. COYLE: Mr. Ganz, I think you indicated
21 that the change in the economy produces benefits to
22 Boston families. Have you any other data that is
23 pertinent to the Board to go to this?

24 MR. GANZ: Yes. With the big increase in

1 jobs that we have experienced that Boston tests have
2 leaned on, in the last three years, we increased faster--
3 personal income per capita increased faster than that of
4 the State for the first time in recent history.

5 CHAIRMAN FARRELL: Thank you, Mr. Ganz.

6 Mr. Homer Russell.

7 MR. RUSSELL: Mr. Chairman, members of the
8 Board, my name is Homer Russell, and I am the Director of
9 (inaudible).

10 I'd like to talk to you briefly today about how
11 Boston's new zoning and (inaudible) policy formulated
12 over the past two years with considerable community
13 review, and how the project before you coincides with
14 those policies. These proposed revisions for the zoning
15 code not only address the physical planning issues of
16 concern to Boston residents, such as traffic, parking,
17 and access problems and height standards, they also
18 address the City's broader planning goals of channeling
19 the direction and impact of new growth away from the
20 downtown and into adjacent vacant and underutilized areas.

21 You have in front of you a map which you have
22 seen before, a map showing the downtown interim planning
23 overlay district, which applies height standards to
24 buildings in downtown for the first time in twenty years.

1 The areas of the City colored light purple are the
2 priority preservation territories, and they included the
3 historic inner city residential areas of the North End,
4 Back Bay, Beacon Hill, St. Germain Street, St. Botolph
5 Street, and Bay Village. They have height standards
6 imposed between 40 feet and 65 feet in height.

7 The reddish--the rose colored areas are called
8 restricted growth areas. They have height standards of
9 between 80 feet and 100 feet. They include the Voltex
10 Triangle, the Leather District, Chinatown, and a small
11 area around Bay Village.

12 The area in yellow, which is by far the largest
13 area on the map, is a medium growth area with height
14 standards set at between 125 feet and 155 feet.

15 Finally, in blue, there are two areas to the
16 north and south that are economic development areas. One
17 is at North Station which has a height standard of between
18 250 feet to 350 feet, and the South Station--that's at
19 Essex Quarter--is between 300 feet and 400 feet. Both of
20 these sites are major mass transit and commuter rail
21 plans that can accommodate large scale development without
22 causing additional traffic, environmental, and
23 infrastructure problems in the downtown.

24 In addition to directing new growth to the

1 North and South Stations at the edge of the downtown, two
2 other major development areas exist directly adjacent, the
3 Charlestown Naval Yard across the Charles River to the
4 north, which can accept additional development with
5 horizontal density that is consistent with the historic
6 bearing of the existing structures, and the Northern
7 Avenue quarter directly across Fort Point Channel to the
8 south where there is considerable acreage of vacant and
9 underutilized land. It is also a logical area to which
10 to direct new development and new waterfront access. The
11 development of these two sites is very much in keeping
12 with the City's planning efforts by channeling new growth
13 away from the downtown and into these underutilized areas
14 of the City.

15 CHAIRMAN FARRELL: Thank you, Mr. Russell. Any
16 questions?

17 Mr. Richard Garver, please.

18 MR. GARVER: Mr. Chairman, my name is Richard
19 Garver, and I'm Assistant Director for Special Projects at
20 the Authority.

21 And considering the considerable community
22 public benefits of this project of the City, they are
23 probably best classified in two classifications. First
24 would be the benefits to the City in the sense of its

1 contribution to the economic health of the City and the
2 improvement of the infrastructure of the City. Briefly,
3 these projects will bring to the City over twenty million
4 dollars annually in additional City taxes. They will
5 contribute, as you have already heard, a mile and a half
6 of continuous public walkways along the water's edge;
7 that is, the project will be a key development and
8 complete the Harbor Walk of the Harborpark program. And,
9 they will create an extensive new system of streets and
10 utilities.

11 There is a second category of benefits to this
12 project which might be called opportunities for the
13 citizens of Boston both in the area of jobs and housing.

14 It is these benefits in particular, among the seventy
15 meetings that we have had with the CAC and with other
16 community groups, that have received considerable
17 attention. First, with respect the jobs, the projects
18 will create 3,400 construction jobs. That, in other
19 terms, is seven million hours of construction work from
20 1987 to 1997. At least 50 percent of these are to go to
21 Boston residents under the City's employment policies.
22 And, in response to your earlier question, the developer
23 has agreed to carry out the City's policy concerning jobs
24 and will submit a Boston residents construction employment

1 plan to the City as this process unfolds. In the future
2 that plan will detail exactly how the hiring policies of
3 the City will be carried out. The policy, at this point,
4 are 50 percent to Boston resident employment, 25 percent
5 for minorities, and 10 percent for women.

6 In the area of permanent jobs, you have already
7 heard that approximately it is estimated to create 10,000
8 permanent jobs. Of particular interest is that of those,
9 specifically in the office area, 60 percent based on
10 current profiles of this type of office space will go to
11 support positions, whether they be computer operators,
12 secretaries, or the like. In other words, the projects
13 will create a wide band of employment opportunity for
14 Boston residents. In an opportunity to meet the City's
15 housing goal, the developer has agreed to submit the
16 appropriate plan to carry out the City's housing policy
17 with respect to permanent jobs.

18 I might particularly address the recent
19 developments in the jobs and employment area as we have
20 gone through discussions with the developer and the
21 community in the current round of meetings. In
22 particular, we have required the developer to make a
23 contribution to the Mayor's Office for Jobs and Community
24 Services which would allow that office to carry out the

1 staffing that would be required to monitor this project
2 and receive the full benefits of employment that the
3 City's policy requires. Secondly, we have asked the
4 developers to--and the developers have, in fact,
5 voluntarily agreed, to carry out a minority business
6 employment/minority business enterprise program. They
7 are to establish a goal for themselves that 10 percent of
8 the value of the project will be available for minority
9 businesses in the area of services and contractual
10 services.

11 With respect to housing, this project will go
12 a long way to meeting the City's overall goals of creating
13 new housing. It will create 1,000 new market units. But,
14 in addition to that, of particular importance, obviously,
15 to our advisory group and to the Authority, is the impact
16 it can have on the adjoining residential communities,
17 and particularly South Boston. We have worked very hard
18 to assure ourselves that we have a significant number of
19 affordable units on site. We have obtained a commitment
20 that 100 units of the project, 10 percent of the project,
21 will be affordable, and truly affordable, according to the
22 City's guidelines and definition for affordability, which
23 are a range between 50 percent of the median income of the
24 area to 110 percent of the median income of the area.

1 Eighty percent of the affordable units are to be ownership
2 opportunities. And we have received guarantees that these
3 units will be affordable on a long-term basis.

4 Beyond the on site commitments of the projects,
5 we have obtained additional commitments that these
6 projects will be creating housing off site, and in
7 particular in the impact area of the project, and in the
8 adjoining residential communities. The projects will
9 create \$15 million worth of linkage payments.

10 Approximately half of these are anticipated to be
11 available within the city-wide pool of linkage payments
12 for proposals for affordable housing throughout the City.

13 -But these linkage payments, the balance, can be
14 available--will be available for units both in the impact
15 area and adjoining neighborhoods. Specifically, the BRA
16 and the City have identified a site adjoining this
17 project between old and what is new Northern Avenue, a
18 28,000 square foot site where we are currently planning
19 120 units to 150 units, and we expect this project,
20 through house expiration options, to contribute to the
21 feasibility of these 150 affordable units.

22 The project will produce--voluntarily agreed
23 to contribute two million dollars to a unique program.
24 These funds are to be available to homeowners in South

1 Boston for the kind of repairs, emergency and otherwise,
2 the fix up that are required by many South Boston
3 residents in order that the owners of those residents
4 can maintain their homes in the future, can afford the
5 upkeep that will be required. You will be hearing more
6 about that from the developer.

7 Finally, the Authority has agreed, since within
8 the impact area there is a significant number of artists
9 and residents the Authority has agreed to work with,
10 artists' groups, to create additional housing in the
11 impact area of this project, and the developers have
12 agreed to contribute \$20,000 to our efforts in developing
13 a proposal which might be assumed to draw on the linkage
14 payments for its affordability.

15 Lastly, I'll highlight just the recent
16 developments in this area as we have gone through the
17 present time in negotiations. The 100 on site affordable
18 units were originally proposed by the developer to be
19 shelved or to be completed by others. But, as we
20 progressed through this negotiation, it has become
21 apparent to both the developer and ourselves that it is
22 important that the developer create these units; and,
23 indeed, he is committed to do so. We have assured
24 ourselves that all of these affordable units, as I say,

1 will be affordable on the City's terms. That means that
2 forty of the units will be at 110 percent of the median
3 income, forty of the units will be at 80 percent of the
4 median income, and twenty will be at 50 percent of the
5 median income. And we are requiring that these units be
6 available to the elderly, but also to new families, when
7 family formation develops, of larger families.

8 I think that concludes it.

9 CHAIRMAN FARRELL: Mr. Garver, I was under the
10 impression that you were going to give an--start out with
11 an overview and trim specifics.

12 MR. GARVER: I think, since the Commissioner of
13 the Department for Education is here----

14 CHAIRMAN FARRELL: I know that.

15 MR. GARVER: But I would be glad, certainly, to
16 respond to questions.

17 The negotiations with the development teams on
18 transportation, of course, took the starting point from
19 the environmental impact----

20 MR. COYLE: Excuse me, would you make reference
21 to the summary table and explain to the Board the context
22 of the specific proposal and how it affects this
23 (inaudible).

24 MR. GARVER: These projects are being proposed

1 in an area, as you know--are presently deficient in
2 transportation affairs. What make it possible for the
3 City projects, however, is that, for some time an
4 independent and long before these projects emerged, there
5 has been on the books a massive set of commitments to
6 transportation and construction in this area. It's the
7 presence of these proposals and the adjoining highway and
8 transit network that make it possible to service these
9 buildings both in the mass transit step and with vehicles.

10 As the (inaudible) this project, the first
11 thing that became important with our advisory process and
12 ourselves is to confirm the status of these major
13 projects, and these are set out here. In the first couple
14 of paragraphs in the book for you, the new seaport access
15 road, which you will find at the post central artery
16 project, is moving along in terms of approvals and in
17 terms of design ahead of schedule and is expected to be
18 operational in 1994.

19 There is in place a program of bridge repair
20 dealing with ten bridges in the area, all of which are
21 in design, either by the State or by the City, and have
22 a delivery schedule that coincides with the schedule that
23 is filled out of this project, and, of course, the most
24 notorious of those is the new Northern Avenue bridge.

1 That bridge is complete in final design of its
2 understructure. It will be bid, I believe, within a
3 month, and we are in the last hours of design review on
4 the superstructure, hashing out the last issues. That
5 bridge, I believe, is expected to be in service in 1990.

6 And the central artery project, of course,
7 ultimately will carry the vehicles coming from the north
8 and south direction of this project. The South Station
9 interim transit facility is a major connector for mass
10 transit passengers using this area. It is the key length
11 upgraded in the process by the MBTA which will link to a
12 bus/shuttle system that will bring transit passengers to
13 this area.

14 This project, in addition to these projects
15 which are on the books, as I say, were committed before
16 this project came before us. The project, through a
17 EIR process, has also identified other transportation
18 features which are important not only to deal with the
19 effects of this project, but other projects in the area,
20 and particularly to assure that South Boston local streets
21 are not adversely affected. One of those is the reopening
22 of Dorchester Avenue. The central artery project is
23 committed to creating a new Dorchester Avenue that would
24 connect to Summer Street. That will be a part of-- It is

1 part and parcel of the design. It is an early completion
2 project which is, I believe, to be in service in 1994 of
3 their schedule, but we thought it extremely important to
4 try to achieve an interim operation of that road. That
5 is, the post office now owns a section of it. It is not
6 available to the public. And we think it's important,
7 prior to the central artery being (inaudible), that we
8 get interim service. So, with the post office and the
9 Transportation Department, we are in the process,
10 presently, with contractual services provided by the
11 Transportation Department and ourselves, determining the
12 feasibility of opening up that roadway for commuter
13 -traffic even prior to the reconstruction of the central
14 artery.

15 At this point, what we have determined is that
16 there is a strong likelihood that, at least into the peak
17 hours, the AM and PM peaks, that in fact post office
18 vehicles are not using this street in any number, and that
19 we can get access to that roadway. This feasibility study
20 is underway at this point to accomplish that.

21 South Boston construction bypass road is a
22 roadway that the South Boston' community has been concerned
23 (inaudible) long before this project arose. It appeared
24 to us possibly extremely important that we even get

1 constructions bids and out of this site. Fortuitously,
2 the central artery project has determined that
3 construction of a construction road, a hall road, through
4 the South Boston rail cut is an important mitigation
5 measure for that project, and they will need to create
6 such a roadway to service their project. Our task, taken
7 on by the Authority after the Board voted a contract to
8 study that roadway, was to try to see if we could get
9 service in place on that road with construction vehicles
10 even prior to the 1989--'89-89 schedule of the central
11 artery; that is, we're looking for an immediate build
12 option that can be put in place to service this project.
13 And you will be receiving a report on the feasibility of
14 that project shortly. But, again, we feel we have
15 identified physically the means to get connections of that
16 construction home-growth out to the arterial system, so
17 that we can avoid heavy trucks in the local community.

18 There is an ongoing South Boston Transportation
19 Study carried out by the City, and the focus of that is
20 the reworking of the truck routes through South Boston,
21 and that is presently studying the specific issues. And
22 that proposal is on the verge of proposing some
23 modifications of present truck routes so important to this
24 project because we need to make sure that the truck route

1 developers of this project do not adversely affect the
2 community.

3 Thank you.

4 CHAIRMAN FARRELL: Thank you, Mr. Garver.

5 MR. DONLAN: Mr. Garver spoke to the issue of
6 mitigation analysis. I'd like to ask specifically how the
7 efforts of the BRA and the work that's been done in this
8 last round deals with and compliments the response to the
9 mandate in the environmental impact group report,
10 specifically by the Secretary of Environmental Affairs
11 of February 9, 1987, approving the environmental impact
12 report calling for further mitigation analysis. The
13 Department-- Our department has been doing that before,
14 but, more importantly, what have we done since, and to
15 to what extent can we appreciate here the mitigation
16 analysis that was contemplated in that environmental
17 report.

18 MR. GARVER: The Authority, in deciding what it
19 would require from the developer as part of this PDA
20 submission, has gone in detail both through our comments
21 to Secretary Hoyt and the Insurance Secretary
22 (inaudible) of the Authority. It has mandated, as part of
23 the submission (inaudible) of the documents you have
24 before you, a detailed analysis of the measures that have

1 been taken that are actually subsequent to the analysis
2 that was before Secretary Hoyt. We believe that the
3 measures that have been proposed to you by Susan Allen
4 gave the limitations in heights of various buildings and
5 reductions of mass in the overall projects. All measures
6 were addressed to Secretary Hoyt's comments. We think
7 it's a completely different set of facts that were before
8 Secretary Hoyt at the time, but we welcome to give a full
9 report back to the Authority Board. We encouraged
10 developers to assist us in that regard to give a complete
11 report of all the measures that have been taken that
12 address the environmental impacts that were noted by
13 Secretary Hoyt and also noted by proponents of Secretary
14 Hoyt.

15 MR. DONLAN: Thank you. I did review the
16 volumes, and I must say none of those volumes specifically
17 spoke to mitigation analysis; although, in each volume,
18 it is fair to say, there was a substantial number of those
19 matters addressed. Can you provide a volume which speaks
20 specifically?

21 MR. GARVER: I'm sure we can. I think the two
22 major ones that we were responsive to was on the traffic
23 access plan, which did respond to many of the comments of
24 Secretary Hoyt, have been listed in the instruction

1 report, but we will give you a detailed report, point by
2 point.

3 MR. DONLAN: Fine. Thank you.

4 CHAIRMAN FARRELL: At this point, I would
5 recognize the Director, Steven Coyle, who wishes to read
6 a statement from His Honor, the Mayor.

7 MR. COYLE: Thank you, Mr. Chairman.

8 I would like to read, for the record, a letter
9 from Mayor Flynn to Chairman Farrell of the BRA Board.

10 "Boston, like all great cities, is constantly
11 changing. Along with creating new opportunities to
12 improve the quality of life and the economic well-being
13 of the City, growth and change, if not well managed, can
14 pressure the very elements of the city that its residents
15 cherish most. More than just a location with a growing
16 economy, Boston is and must continue to be a livable city.
17 It is a livable city because there is a common
18 understanding of our unique heritage and an appreciation
19 of our continuing role as trustees in the active, physical
20 and economic environment of Boston. Boston is a unique
21 city because of its neighborhoods and its strong
22 residential character. In no other American city are so
23 many working families within walking distance of work.
24 These realities place special responsibilities on policy

1 "made concerning this. The delicate balance between the
2 needs of commerce and the needs of the neighborhoods must
3 be maintained, or we will lose in the wake of progress
4 both the character and the livability of our City.

5 "As I have stated on a number of occasions, my
6 Administration is dedicated to the policy of (inaudible)
7 growth. In addition to achieving high quality urban
8 design, this approach to economic development is
9 predicated on three principles. First, economic expansion
10 must benefit the people who live in this community by
11 providing job opportunities, housing benefits, and other
12 public improvements that add to the quality of life.

13 -Growth that does not produce real benefit to the people
14 who have made this city what it is is unacceptable. Two,
15 economic expansion must occur in a way that ensures the
16 impacts of growth can be (inaudible) of the negative
17 events (inaudible). Of particular concern are impacts
18 to the environment and transportation. Three, economic
19 expansion must occur after the conclusion of an open
20 community process. The central premise of this is that
21 all knowledge about what is best for the City does not
22 reside with the developer. Plans work best if they are
23 fashioned in concert with the community. (Inaudible)
24 must have a strong voice to shape the growth policies

1 "in Boston.

2 "Taken together, these principles provide the
3 framework for discussing, reviewing, and deciding on the
4 Fan Pier/Pier 4 development proposal. Before the
5 Authority today are the developer's plans for this
6 project. The joint public hearing will allow the
7 development team, interested parties (inaudible) of South
8 Boston, and the community at large an opportunity to be
9 heard and elect for or against this project. These
10 projects come to you after two years of extensive
11 community review. The Citizens Advisory Committee, which
12 you have established in order to make a forum under the
13 able leadership of Larry Dwyer, has given the BRA and
14 developers a solid sense of what the South Boston
15 community seeks from this project. In brief, they seek
16 what I seek, real job opportunities, real benefits to
17 improve the quality of their housing, solid assurance
18 that this project can be built and operated in a way
19 that does not choke the streets with traffic, congestion,
20 or damage the environment, or do harm to them.
21 Accordingly, emphasis must be placed on arriving at
22 development plans that are consistent with the principle
23 of balanced growth and in a fashion that (inaudible)
24 that ensures that all agreements meet the public benefits

1 "as carried out.

2 "In the final analysis, the Fan Pier/Pier 4
3 review process must produce projects that create, on the
4 one hand, new investments, jobs, housing benefits,
5 employment training, public improvements, and substantial
6 tax income. On the other hand, the process must guard
7 against negative impacts to the environment,
8 transportation system, and the residential character of
9 the South Boston neighborhood. Together, we can strike
10 the right balance that leads to a Fan Pier/Pier 4
11 development that will be good for Boston, as well as
12 (inaudible). Sincerely, Raymond L. Flynn."

13 CHAIRMAN FARRELL: A copy of the original
14 of the Mayor's statement will be made a part of the record
15 of this hearing. I do have a number of other letters
16 that I will address later in the hearing that will be
17 made part of the record.

18 Before hearing from the development team,
19 pursuant to our policy, I will recognize at this time
20 any elected official present who would like to address
21 the Authority on this matter. I would first recognize,
22 since he is a city councilor from the district,
23 Councilor Kelly, if he would like to address the
24 Authority at this time.

1 COUNCILOR KELLY: Thank you, Mr. Chairman,
2 members of the Board.

3 Going back, it was 1981, was the first time I
4 heard about the proposal of the Fan Pier/Pier 4
5 development. At that time, I stated my position, and
6 have done so during the course of two elections, 1983 and
7 again in 1985, to anyone who asked the various candidates
8 what was my position. I made it very clear that I am,
9 and totally, in support of the Fan Pier/Pier 4 projects
10 with, of course, reasonable problems that may arise during
11 the course of construction which are inevitable in all
12 construction projects.

13 I didn't hear all of the letter read by
14 Mr. Coyle from the Mayor on the project, but I do have
15 some notes here that I would just like to relay to the
16 members of the Board.

17 There have been nearly seventy meetings over
18 the past twenty-seven months with the Citizens Advisory
19 Committee. The Citizens Advisory Committee is made up
20 mainly of the South Boston community leaders. They have
21 spent enormous time and given enormous energy to iron out
22 any potential problems. Have they been totally successful
23 thus far? Probably not. And still, they proceed in the
24 way in which they have to go. I had a telephone

1 conversation with several members of the Citizens Advisory
2 Committee this morning. They have indicated to me that
3 they are in support of the project with the-- There are a
4 couple of issues, I think, that do concern them. One is
5 the transportation in the short-range early construction
6 and then the long-range transportation problems--traffic
7 patterns, I am referring to--for the South Boston area.
8 As I understand, the Citizens Advisory Committee, over
9 the next week or ten days, will be working very closely
10 with the BRA to iron out those problems.

11 The parts of the public benefits, I think, are
12 just great. I think the City of Boston, as a whole, and
13 -I think, more specifically, the neighborhood of South
14 Boston, will receive substantial public benefits by way
15 of the linkage and through the creation of the
16 Neighborhood Stabilization Fund, which I think is going
17 to be excellent. And I know that we are going to get
18 our share of construction jobs and jobs once the
19 development is complete.

20 What I do have problems with is the 10 percent
21 of the set aside for inclusionary housing on site. I
22 would much prefer to see the cash equivalent of that
23 10 percent go back into the residential neighborhood
24 of South Boston. I think more people could be served

1 if that were done, rather than 10 percent of the housing
2 being set aside on site.

3 I am satisfied with the work that has been done
4 relative to infrastructures and to the design, which I
5 understand has been modified on several occasions. But,
6 again, just to stress that the traffic and transportation
7 is a problem, but I am hopeful that the BRA, as an agency,
8 and you, as the members of the Board of Directors, will
9 certainly lend support to the Citizens Advisory Committee
10 in trying to iron out some of these problems.

11 There is another request that the CAC will be
12 making to you today, and that is that the creation of a
13 master plan. I know that when we went to the Board,
14 Judy Palmer, Jimmy Flaherty, myself, John Butler, Nancy
15 Osborne, when she was present in the residents group, and
16 her successor, Jerry (inaudible), these are things that
17 the community leaders asked for years ago, a master plan
18 for that area of South Boston. And I just cannot stress
19 strongly enough that a master plan is going to be needed.

20 Let me conclude by stating my position since
21 1981 has not changed. I support this project. I applaud
22 the members of the Citizens Advisory Committee that have
23 worked very hard. I applaud the developers that have been
24 very, very cooperative and have been willing to make some

1 concessions relative to the design, and continue to
2 express their concern for the South Boston neighborhood
3 and impact that this major development will have on the
4 project. I would just urge that you as the members of the
5 Board of Directors take into consideration those two
6 issues; number one, the traffic problems and the work that
7 needs to be done with it, and, number two, the master plan
8 for that entire area.

9 Thank you, Mr. Chairman.

10 CHAIRMAN FARRELL: Thank you, Councilor.

11 I recognize Councilor Ianello.

12 COUNCILOR IANELLO: My name is Mr. Ianello.

13 -I'm a member of the Boston City Council.

14 I come here this afternoon to support this
15 development. And may I say that with their booming
16 economy, Boston can no longer allow this valuable piece
17 of land to remain barren and undeveloped. It is an
18 eyesore, and it has been for forty years. And I think
19 that this great development is going to take place.
20 Boston will truly be one of the great American cities,
21 not of Massachusetts, or the country, but of the world.

22 Just a personal note to tell you, too, that
23 I think it is important that the people (inaudible)
24 be proud of this development. Anthony Athanas, who has

1 been a restaurateur in this City for many, many years,
2 he has been designated thirteen out of the last fourteen
3 years as one of the great restaurateurs of this country.
4 He has received awards--recognition. So that is the kind
5 of restaurant that Anthony Athanas has conducted in the
6 last fourteen years. I haven't the slightest doubt as to
7 his integrity, and his honesty, and his ability to do what
8 is right by the City of Boston. I support this
9 development.

10 Thank you.

11 CHAIRMAN FARRELL: Thank you.

12 MR. THOMAS DIMINO: Mr. Chairman, members of
13 the Board, my name is Tom Dimino. I'm the District City
14 Council from Hyde Park and Roslindale.

15 You may wonder why I'm here from Hyde Park and
16 Roslindale. It's out in the sticks. But I see the public
17 benefits that this project gives us. Fifty-nine dollars
18 for housing, housing on site, the job creation, the taxes
19 to the City of Boston, twenty-eight hundred dollars of
20 taxes compared to six hundred fifty thousand (inaudible).
21 So, public benefits aside, Boston must continue to grow.

22 Although (inaudible) stand in the way, I
23 support this plan because of the economic benefits and
24 community review. This project is running through two

1 hundred million. That will equal several of those
2 (inaudible). The developer has been willing to change
3 the profit margin and been willing to meet the community
4 at all times. So, I ask this Board today to give its
5 approval of the PDA for the project so that Boston can
6 continue to grow, and the area along the waterfront can
7 be a valuable piece of property for the City of Boston.

8 Thank you, Mr. Chairman.

9 CHAIRMAN FARRELL: Thank you, Councilor.

10 I'll recognize Councilor Skungus, if he wishes
11 to address the Authority at this time.

12 COUNCILOR SKUNGUS: Reviewing the details of
13 the plan as it is presently proposed, I think it is fair
14 at the outset. I don't think folks are particularly
15 opposed or in support of this project. I think, like all
16 projects of the City, we look at the social benefits and
17 what are the problems. I think that it would be foolhardy
18 not to acknowledge the fact (inaudible) that it will
19 inevitably restore and (inaudible). One of the historical
20 realities from (inaudible) New York, in a careful study of
21 development and its ultimate cost to the public sector,
22 shows that unless the developer is proceeding in a very
23 carefully cultivated fashion, the reality is that you have
24 to take into account all the pluses, all the wrongs that

1 are in the project. (Inaudible.)

2 With respect to this particular project, what
3 we are talking about, in spite of the cluster of details
4 that are listed, is 1.8 percent of the total cost of the
5 project being, in effect, proposed as a (inaudible).
6 The reason I say 1.8 percent is the latest figure I've
7 heard talked about being (inaudible). That, in itself,
8 raises some question as to why are we having the public
9 hearing when the number has changed six times in the last
10 couple of weeks. But leaving that aside as well, I would
11 suggest to you, in all honesty, when I go to the store and
12 buy something, I pay five percent to the State. And
13 -1.8 percent, I think, is inadequate. When you look at the
14 percentages of the numbers, I agree with Councilor Kelly
15 in that specific numbers of affordable housing on site is
16 really not the issue. The issue is what is the trade,
17 what is the benefit. And I'm suggesting to you that on a
18 one million dollar project, and with 1,100 units that are
19 being marketed for (inaudible), with a potential revenue
20 being generated of \$260 million to \$275 million, talking
21 about an \$18 million linkage payment is a fairly small
22 sum. What is the trade? What is it that we get besides
23 that? We get perhaps eighteen thousand in (inaudible).

24 Mr. Chairman, the project will bring benefits

1 to the City. The project will also bring traffic problems
2 and other costs to the City. I think what is crucial to
3 the Board is to very carefully look at the benefits and
4 look at the costs and see what it is you need from the
5 bulk of the investment specifically. I would say, at this
6 point in time, a 1.8 percent linkage payment does not make
7 up for the other ancillary costs to the City. I am
8 assuming, knowing the good work of the BRA Director, that
9 these will be resolved. I am assuming there will be job
10 training programs. I am assuming there will be long-term
11 jobs for Boston city residents, and there will be some
12 (inaudible) created whereby this indeed begins to benefit
13 the City as a whole. I would ask the Board to carefully
14 consider all the ramifications of the project, including
15 the (inaudible) and not to look at it from a short-sighted
16 fashion. It requires a tremendous amount of review. I
17 would also ask the Board to recognize the Chapter 91
18 reforms of the project, make this project meet and go
19 above and beyond the ordinary (inaudible). This is the
20 largest project that has ever been proposed since the
21 filling of the Back Bay. It is a wonderful concept. I
22 think that to move forward without the light of clarity
23 --and I don't see that clarity right now--we do a
24 disservice to the public. I assume that the (inaudible)

1 and the other partners of the project are more than
2 willing to sit down and work out that linkage package in
3 a way that makes sense to everybody involved with an
4 understanding that the City is going to incur (inaudible).
5 It is not just a beneficial package. It also incur
6 (inaudible). And I think we need to balance those
7 throughout.

8 Thank you very much.

9 CHAIRMAN FARRELL: Councilor, I have a
10 question. Wouldn't you agree that the 1.8 million
11 allocated for linkage is a small portion of the total
12 public benefit package?

13 COUNCILOR SKUNGUS: No, I don't agree with that
14 because I have no understanding at this point as to
15 whether or not the housing and other proposals in the
16 package are----

17 CHAIRMAN FARRELL: (Inaudible comment.)

18 COUNCILOR SKUNGUS: I'm saying that I do not
19 know whether or not the other proposals that are in the
20 package are (inaudible). Obviously, to bring tax revenue
21 to the City is the purpose. I know that. There is no
22 question that anything we build will bring taxes.

23 CHAIRMAN FARRELL: Hopefully, it does.

24 COUNCILOR SKUNGUS: Absolutely. If we build

1 a four hundred story tower, it will also bring jobs and
2 taxes. That's really no different. You do not have in
3 the City a problem with trying to stimulate new
4 development. We have a problem with trying to make the
5 development that occurs result in a benefit to all of our
6 people. That we have as a problem. Since we are not in a
7 situation where we are investing or increasing the amount
8 of the investments involved, we're in a situation where we
9 can shape that investment; that any and all of our
10 neighborhood that you anticipate in those investments will
11 now go on to ensure that if this development results in a
12 net positive gain, all the people will (inaudible).

13 CHAIRMAN FARRELL: Thank you, Councilor.

14 Do we have any other elected official who
15 wishes to address the Authority at this time? Councilor
16 Henning.

17 COUNCILOR HENNING: Mr. Coyle, Chairman
18 Farrell, members of the Board, thank you for the
19 opportunity to come and address you on this most important
20 project.

21 4.6 million square feet of residential, office,
22 hotel, and retail space, thirteen buildings situated on a
23 third acre of land, over a thousand units of housing,
24 fifteen million in linkage, although I have heard

1 different things here today, 3,400 construction jobs, and
2 over 10,000 permanent jobs, the Fan Pier project is truly
3 staggering in its impact. The effect on the City of
4 Boston, and South Boston in particular, will be great in
5 terms of traffic. But I am heartened by the spirit of
6 cooperation among the many parties involved. It appears
7 through intense negotiation over the past several months
8 the developers of the Fan Pier/Pier 4 project will take
9 a number of steps to mitigate the impact of this project.
10 The developers, the BRA, and the Citizens Advisory
11 Committee have worked tirelessly to see that any adverse
12 impact which the Fan Pier proposal may cause is offset by
13 the benefits which residents of Boston, and South Boston
14 in particular, may accrue from this project. The
15 developer has agreed to comply with the Boston jobs/
16 Boston residents plan and hire 50 percent Boston
17 residents, at least 25 percent minorities, and 10 percent
18 female workers for 3,400 construction jobs which will be
19 generated by the project. In addition, the Citizens
20 Advisory Committee and the City of Boston Office of Jobs
21 Community Service will work with employers to see that
22 residents of Boston and South Boston share in the
23 opportunity which the project offers. As part of this
24 effort, three million of the thirteen million linkage

1 funds will be earmarked for job training, which will allow
2 the City to establish a job stop office in South Boston
3 which will serve as a clearinghouse for job training
4 employment opportunity. The Fan Pier/Pier 4 project
5 presents Boston and its citizens with many opportunities.

6 As one person often directly involved with
7 negotiations dealing with traffic and access plans, and
8 the infrastructure improvements, I would like to address
9 one aspect of the job opportunities that will be provided
10 by the project, and that is daycare. With over 10,000
11 permanent jobs, and four million square feet of office
12 space and retail space, there is clearly a need for an
13 on site daycare facility at the Fan Pier/Pier 4 site.

14 There are a number of other cities moving toward some sort
15 of requirement of public private partnerships to
16 facilitate the creation of daycare centers. For example,
17 Minneapolis required daycare facilities to be included
18 in its Gateway Center for parents who work downtown.
19 San Francisco has attached an ordinance which requires
20 a daycare facility in any new building over 50,000 square
21 feet. Dallas initiated a Child Care Task Force in 1983.
22 Albany, New York, like Montgomery County in Maryland,
23 encourages the fringe benefit approach.

24 Boston has long been a leader in medicine,

education, and the arts. We now have an opportunity to be a model for other cities across the nation by calling for daycare facilities in such a large project. Surveys have repeatedly shown a return to business on their investment in child care. Businesses report that on site child care aids in recruitment and retention of employees, increased morale and productivity, while decreasing a turnover in absenteeism.

The developers, the BRA, the Citizens Advisory Committee have made great strides in working on a number of problems. I am encouraged by the commitment of linkage funds for the housing and the Boston jobs/Boston residents plan. Equally encouraging is the access to Boston's waterfront which the project will afford. Because of the commitment and the cooperation on the part of the developer, the developer and those involved, I would like to support this development plan for the PDA's 23 and 24 presented to the BRA by H. T. Boston, Incorporated in the Fan Pier limited partnership. I urge your favorable action on the proposal before you today. And I certainly hope, after all is said and done, that we see daycare up here up on that chart as one of the major benefits to the community.

Thank you very much.

1 CHAIRMAN FARRELL: Thank you.

2 Councilor, have you talked to the development
3 team about daycare centers?

4 COUNCILOR HENNING: Yes, I have, Mr. Chairman,
5 and they have agreed to work with us on that particular
6 component; however, I think a very strong message has to
7 be sent by you fellows, the BRA, that this is vital, not
8 strictly for on site daycare, but every possible form of
9 daycare whether it be a cafeteria type program, some
10 other voucher system, this could truly be a state guide
11 for daycare across the State, an example across the
12 country.

13 CHAIRMAN FARRELL: Thank you, Councilor.

14 If there are no other elected officials present
15 to address the Authority, I'll recognize the development
16 team at this time.

17 UNKNOWN SPEAKER: Mr. Chairman, I would ask
18 that anyone who is addressing the Authority state clearly
19 their name, residential address, and business address, if
20 any.

21 MR. FRIEDMAN: My name is Richard Friedman.
22 I'm president of Property & Company. I live at
23 975 Memorial Drive, Cambridge. My business address is
24 600 Atlantic Avenue in Boston.

1 Property & Company and the Hyatt organization
2 are joint ventures in the Pier 4 project, and we have been
3 working on this project for almost ten years. This is a
4 historic location. This is a historic building that we
5 are in now, and it's a historic occasion.

6 Before starting any further, I would like to
7 really thank the Board of the Boston Redevelopment
8 Authority because it really is your Board that has created
9 the city in the manner of being a vibrant and exciting and
10 healthy as it is, allowing projects like to be conceived.
11 This is a very healthy city, and this Board can take a
12 great deal of credit for building that health over the
13 recent years.

14 What we are talking about is creating a new
15 place for people to work, to live, and to enjoy. This
16 site was settled by the Athanas family over twenty-five
17 years ago. It is open, blighted, publicly inaccessible.
18 The developments that we are proposing is a step forward.
19 And I would like to correct a myth. It is not the
20 largest project in the history of the City, but perhaps
21 one of the most important projects in the history of the
22 City. It certainly is recent. The developments are
23 unusual in that they are mixed with. They are vibrant,
24 public-- There is a commitment to quality that is

1 unparalleled for the benefits in jobs, taxes, linkage,
2 local space, and affordable housing. These projects on
3 twenty-five acres are truly Bostonian. People talk about
4 the floor to area ratios. These projects have floor to
5 area ratios of 4.25. That means that four and a quarter
6 times as much building as there is land. People say that
7 that's very dense. That is no denser than the Boston
8 waterfront area. Beacon Hill has a floor to area ratio of
9 three. Back Bay has a floor to area ratio of four.
10 International place has a floor to area ratio of 6.25.
11 So, what we are talking about are projects that are very
12 Bostonian and very comfortable. What we're really talking
13 about is something that has an approximate density of
14 the Back Bay surrounded by an Esplanade, which we call
15 Harborpark. It's comfortable, and active twenty-four
16 hours a day all week. We're creating a neighborhood.

17 People complain sometimes about the height.
18 "It's too tall. It's high rise." Let's get things in
19 perspective. The Prudential and Hancock buildings are
20 800 feet high. On average, of the nine buildings in the
21 Fan Pier project, our buildings are 222 feet high--
22 800 feet, the Prudential or Hancock, 222 feet average.
23 Yes, we have one tower in this project, and that's the
24 Fan Pier project. It's 450 feet high, but that is some

1 thirty odd stories lower than the Hancock or the
2 Prudential.

3 These projects are not overbearing, but they
4 are Bostonian. They are like the Eagle's building in the
5 Back Bay, or Market Place Center, or Rose Wharf in the
6 Bostonian, and it will fit comfortably. These projects
7 are environmentally sound. Traffic is manageable. We're
8 going to actually improve water quality. Secretary Hoyt
9 said this is the best environmental impact report he had
10 ever seen, and these are to be phased in over a number of
11 years so that the impacts can be managed.

12 We are in the midst of an ongoing process
13 between the City and the State, in certain instances with
14 the Federal government. We have continued reviews by
15 Massachusetts environmental policies under Chapter 91.
16 We have continued with design reviews of the City, and
17 we will be doing design review for the City Design
18 Commission and the CAC.

19 In quick summary, before I introduce Ellen
20 to talk about her particular project, what we are talking
21 about is a transformation of open, blighted, inaccessible
22 space in a useful, beautiful, and productive space and
23 projects of which we will all be proud. At this time, I'd
24 like to introduce Ellen Watts who will talk to you about

1 the Pier 4 project.

2 CHAIRMAN FARRELL: Thank you, Mr. Friedman.

3 MS. WATTS: Pier 4 project started----

4 CHAIRMAN FARRELL: Before you begin, give your
5 full name, and residential address, and business address.

6 MS. WATTS: My name is Ellen Watts. I'm the
7 president of the Boston Merit Company. My residential
8 address is 76 Batterymarch Street, and I work at 85 East
9 India Row. Merit is the real estate development company
10 owned by Anthony Athanas' four sons.

11 The Pier 4 project started with the vision of
12 one man. Mr. Athanas came to this country as a small boy
13 from Albania in 1916. He has made his life's work and
14 residence in the City of Boston. The vision of the
15 Pier 4 project has been vigorously debated at
16 192 community meetings which Mr. Athanas and I have
17 personally attended in the last two years. The vision has
18 been propelled by careful and thoughtful work by the BRA
19 staff, Citizens Advisory Committee, the Harborpark
20 Advisory Committee, numerous other City and State agencies
21 over the course of the evolving development (inaudible).

22 The specific vision which we will show you
23 today is a work of the most outstanding architectural
24 engineering team Mr. Athanas and I were able to assemble.

1 And I am proud to say that all of the companies on our
2 team are Massachusetts companies, most of them based right
3 here in Boston. The vision for the Pier 4 project will
4 end with the people of Boston and the many benefits which
5 we will explain to you in a moment. Thousands of jobs,
6 millions of dollars in tax revenues, significant numbers
7 of linkage monies, and the creation of affordable housing
8 in Boston's neighborhoods, and fifteen acres of public
9 open space which will make the waterfront accessible to
10 the people of Boston.

11 A quarter of a million of people in Boston live
12 within a ten minute walk of the waterfront, and for years
13 and years, of course, this portion of the waterfront all
14 of us know to be huge parking lots. (Inaudible.)

15 Mr. Athanas began acquiring land on the Pier 4/Fan Pier
16 site in 1960 when he bought three acres of the Pier 4
17 for the construction of a restaurant, which has become
18 known as one of the most famous in the world. He
19 completed his purchase of twenty-five acres of land and
20 an additional ten acres of (inaudible) in the year 1972.
21 For years before Mr. Athanas came along, Bostonians were
22 turning their backs to the waterfront. The site was
23 abandoned. It had been declining in its use as a railroad
24 shipping business since the turn of the century, and was

1 sold literally at auction. No one cared about the water.
2 No one wanted this land. He and his family have carried
3 this property, maintained the sea walls, replaced the
4 pilings, and paid about \$700,000 annually in real estate
5 taxes for over thirty-five years.

6 Let me talk about the specific vision of the
7 plan today. There are three major public open spaces
8 which are at the heart of the Pier 4 plan. The first is
9 an entry port boulevard which is landscaped, with a sea
10 water reflecting pool, which will bring a sense of
11 (inaudible) very close to the project entrance at
12 Northern Avenue. The second is a major public plaza
13 overlooking a nine acre marina basin, and the harbor
14 (inaudible) and the wonderful Fan Pier canal which runs
15 east/west clear across the width of that fan, which is
16 a parking lot today. The third is a linear park
17 landscaped and overlooking a slip of water between Pier 4
18 and Commonwealth Pier. Throughout the space of this
19 development, Anthony's Pier 4 Restaurant will remain
20 right as it is at the head of the pier.

21 I talk about the open space first because we
22 really care most in this project design about the open
23 spaces and the working space, and their interrelation to
24 one another. There are four buildings. Let me point

1 point them out to you. The tallest is a thirty-six story
2 hotel/residential building. Adjoining it is a six story
3 office/retail building bordering on the existing Northern
4 Avenue. The third is an eight--an eleven story
5 condominium/retail building along the length of Pier 4
6 proper. The final is a twenty-four story office building
7 on the new Northern Avenue as it intersects old Northern
8 Avenue.

9 The project was very, very different when it
10 was first proposed in 1981. Parking was aboveground.
11 There were buildings blocking the view of the water, and
12 there were cars able to drive all over the perimeter of
13 the site. Let me point out the fundamental differences in
14 the plan today. The parking has been (inaudible) three
15 times that with (inaudible). Secondly, the edges of the
16 water are now pedestrian (inaudible), pedestrian sidewalks
17 comprising 2,200 linear feet, added to the Harbor Walk
18 network. Basic changes in the height of the buildings and
19 the density is cut down, some of them very recent, as
20 recently as six months ago. The buildings along the edge
21 of the wharf here were sixteen, nineteen, and twenty-six
22 stories, and we have reduced those to eight and eleven
23 stories. The tallest office building was twenty-nine
24 stories. We have reduced it by five floors. It is now

1 twenty-four. And we have also changed the proposed
2 construction schedule. We had intended to build a tall
3 office building rather sooner, and we are now proposing to
4 build it last in our development.

5 The responsiveness to the community concerns
6 is largely to the credit of the leader of our
7 architectural engineering team, the Boston firm of
8 Tallman, McKinnel, and Wood. Tallman, McKinnel, and Wood
9 have practiced in Boston for some twenty-five years.
10 Their major projects are, of course, the Boston City Hall.
11 Current projects, the Back Bay station and Hynes
12 Auditorium expansion are also their work. They were
13 designated AIA Firm of the Year in 1984, and they wish you
14 to know that they have also been responsible for many
15 smaller neighborhood projects in Boston.

16 I would like to read to you a quote from a
17 March 1st editorial by Robert Campbell, architectural
18 critic for the Boston Globe. And I quote: "At Pier 4,
19 the results promise to be superb. The architecture is
20 simple and direct. It follows the traditions of Boston's
21 clear architecture, while at the same time looking for
22 precedents. Condominiums are grouped in a long
23 (inaudible) building that (inaudible), such as the nearby
24 fish pier."

1 I'd like you to hear a few words from Michael
2 McKinnel, the principal designer of this project.

3 CHAIRMAN FARRELL: Ms. Watts, I have another
4 comment from the Boston Globe that isn't quite that
5 complimentary with respect to the architecture. Will
6 Mr. McKinnel comment on that criticism?

7 MS. WATTS: I believe he will touch on the
8 design premises common to both projects, yes.

9 CHAIRMAN FARRELL: The criticism that I read
10 seemed to center on the diverse architectural forms that
11 are not Bostonian. At least, that's the criticism. I'd
12 like to hear from Mr. McKinnel on that.

13 MS. WATTS: I believe he will speak to the
14 aspects of both of these projects that he believes are
15 particularly Bostonian.

16 MR. McKINNEL: My name is Michael McKinnel. I
17 am a principal at the firm of Tallman, McKinnel, and Wood.
18 I live at Chestnut Street in Boston. We have our offices
19 at 939 Boylston Street in Boston.

20 As architects, our job is to generate the
21 design. I'm here as the architect (inaudible). This
22 project is in Boston. It's on the waterfront and occupies
23 a special, singular, and unique place on this waterfront.
24 We want to generate design (inaudible). The second is

1 that it should be a public place. We want to make a place
2 in which the public has access to enjoy and celebrate the
3 waterfront together and individually. This unique site on
4 the waterfront in Boston is special because of the canal
5 and (inaudible). Unlike the (inaudible) piers, which are
6 more common, and there is water in the lagoon at the very
7 center of this whole composition. This water is in itself
8 a great public space. This unique feature is emphasized
9 by construction of the canal leading to and from this
10 lagoon. It is important to understand that to us the
11 buildings are only the backdrop and the walls which frame
12 the public spaces which are all predominantly pedestrian
13 -oriented.

14 The first, as Ellen said, the lagoon is at
15 the center. It's the largest of the (inaudible). This
16 place is nearly an acre in size. It could accommodate
17 quite comfortably six thousand persons. There are
18 magnificent views from it, down the canal in Boston, out
19 to the marina, and onto the waterfront beyond. It is
20 surrounded by sheltering arcades and low buildings which
21 will allow the sun to enter that space. It is the
22 commercially active and vibrant part of the Pier 4
23 project. There isn't any space more (inaudible). The
24 BRA has required that there be good comfortable views

1 of the sea from the naval yard here. We have tried to go
2 one better. We tried to bring a sense of the sea back to
3 the way it once was and had been. And so by this water
4 feature we extend the sea back into the city, and the
5 space will be reminiscent of those piers at Lewis Wharf
6 and those that have long since been filled in by Quincy
7 Marketplace. This space will be more quiet and dignified
8 as, we think, befits the entries to condominiums and the
9 hotels. The third, from the park edge to the east
10 (inaudible) is domestic in scale, has gardens, trees, and
11 will be more like Memorial Drive that is along the river
12 and the buildings set away from (inaudible).

13 Now, these public spaces are all joined
14 together, and they form what we hope will be a
15 continuously (inaudible). There is a gallery here,
16 which leads from the bus stop on new Northern Avenue
17 and into the plaza which is lined with arcades to protect
18 the walk to the entry area. The entry arch, which again
19 is lined with shops, leading to the wharf boulevard,
20 bordered by arcades. This, in turn, leads out to the
21 court which is in front of Anthony's Restaurant, or they
22 may proceed by way of openings through the apartments to
23 the park edge on the eastern border of the site.

24 We believe that this extraordinary variety of

1 public spaces will facilitate and encourage the public
2 enjoyment of this part of Boston's waterfront. The
3 buildings which frame these spaces are deliberately
4 modest, we hope. And we hope that they will resemble the
5 scale and character of the nearby 19th century buildings
6 at Fort Point Channel and the Leather District. They are,
7 for the most part, low and long. The rhythm of the
8 facades, and the size of their window openings, is similar
9 to those buildings which are nearby. The materials will
10 be brick, metal trim, and will be reminiscent of the
11 traditional cornices at the top of them.

12 By contrast with the majority of these
13 buildings, there is the slim tower of the hotel which will
14 be in stone and light brick to remind one of the Custom
15 House in the view beyond. Through this design, we have
16 tried hard to fulfill our objectives to generate a new
17 development which will seem to have grown naturally out of
18 the traditional forms common to Boston, and in particular
19 this portion of Boston's waterfront, and with these means
20 to provide the City with a public amenity of a series of
21 memorable open waterfront spaces linked together in a
22 continuous pedestrian walk. I might add that we have been
23 continuously supported in this endeavor by our client.

24 As to the specific matter of stylistic variety,

1 I think this must refer more to Fan Pier, which I think
2 there is a very exciting endeavor to join architects
3 together, where, on Pier 4, we have been one architect
4 to the whole development. And I hope that this----

5 CHAIRMAN FARRELL: I understand that,
6 Mr. McKinnel.

7 MR. McKINNEL: Thank you.

8 MR. FRIEDMAN: The Fan Pier/Pier 4 project
9 have been planned very closely together. Now, I'd like
10 to give a little presentation of some elements of the
11 Fan Pier project.

12 There are numerous elements to it. Rob will
13 point out some of them as I am talking about them. First,
14 of all is the hotel which has a high tower, and convention
15 space, and meeting space, and cinemas behind, three
16 condominium buildings on what we call the Island. We have
17 a harborpark that wraps the entire site and turns into a
18 canal walk on one side and the marina walk along the
19 boardwalk, a marina. The site is bisected by a canal
20 which has four bridges. The canal is lined with shops
21 and restaurants and spaces for people to stroll. South
22 of the canal are four office buildings. There are two
23 high rise and two low rise, the low rises forming a
24 gate piece to the property. And finally, to the west, a

1 site which we have designated, hopefully, for a public
2 cultural facility by the Youth of Contemporary Art which
3 would anchor the Harborpark and form a major public
4 amenity. In addition to what you see here, underneath
5 this site is twenty-five hundred cars of underground
6 parking. All the parking is underground. Sixty percent
7 of the space is public open space. We have created
8 three-quarter's of a mile of harbor walk.

9 There have been major changes in the project
10 as time has evolved. I don't think-- Some of those were
11 enumerated by Susan Allen. I don't think it is useful
12 to go through all of them. The primary one is that
13 there have been lowered heights by as much as a hundred
14 feet across the board in all buildings, improved
15 pedestrian and vehicular access in view corridors.
16 The massing has been revised and is continuing to be
17 revised. Part of your question, Mr. Chairman, about
18 the Bostonian character of these buildings is being
19 addressed in continuing design review by the Authority
20 and the CAC. Handicap accessibility has been assured,
21 improved wind and shadow conditions in public open
22 space.

23 We have a team of architects and engineers
24 that has a great many Boston firms involved in it. We

1 do have a collaborative effort. Our team includes
2 Stephanie Bradley, John Brennan, Fred Coder, all Boston
3 firms, and Raffaele Mimayo, Bob Venturi, Bob Stearn,
4 Frank Gary, Tom Beatty, and others. We expect that over
5 a period of time very many Boston architects and
6 architectural firms will participate in the individual
7 design and individual components of this project, because
8 we see it as a piece of the city designed by many people
9 and feeling like a city does, having a great deal of
10 diversity in it.

11 The master plan for this project was produced
12 and an architect of three of the buildings by Cesar Pelie.
13 -Cesar is here today. He is one of the world's renowned
14 architects. He is former Dean of Architecture at Yale,
15 and his work in New York has been called the best work in
16 New York since the thirties. With that, I'd like to
17 introduce to you Cesar Pelie, design leader and
18 coordinator.

19 CHAIRMAN FARRELL: Those aren't gondolas;
20 are they?

21 MR. FRIEDMAN: They are not. Is that a
22 question?

23 CHAIRMAN FARRELL: Are they?

24 MR. FRIEDMAN: No, they are not. They are

1 water taxis. And we hope that-- The canal has bridge
2 heights that allow the canal to be navigable so the water
3 taxis can go in and out of the area. You can to the
4 airport, or go to the Aquarium, or whatever, by taxi.

5 CHAIRMAN FARRELL: Thank you.

6 MR. PELIE: My name is Cesar Pelie. My
7 business address is 1056 Chapel Street, New Haven,
8 Connecticut. And my home address is 95 Rogers Road in
9 Hamden, Connecticut.

10 As Richard Friedman said, we have been the
11 architects (inaudible). Cities are made piece by piece,
12 sometimes building by building, and Boston is a great
13 city. We have taken this project very much to heart
14 to make it a worthy piece of Boston. In doing such, the
15 streets that you see, the north/south streets in that
16 plan, are the extensions of the streets in the warehouse
17 district. They are cut east/west into small blocks. It
18 is a much smaller block than one normally finds in cities.
19 These are the size of downtown Boston blocks. These are
20 very Bostonian blocks. Only with the seats, open space is
21 much wider than in downtown Boston. The streets are
22 primarily pedestrian. The traffic area (inaudible) make
23 the streets primarily pedestrian, including both sides of
24 the canal.

1 The details of the buildings, the materials of
2 the buildings are very much like Mike McKinnel described
3 for Pier 4. This is true of our windows, the arcades.
4 These are all details familiar to the forms that have been
5 taken from the existing Boston buildings. If you look at
6 the rendering of the canal, you can sense the flavor and
7 the character will feel very Bostonian. In a way, the
8 canal is a double-ended, self-containing slip, and it will
9 look like a slip, not like a canal in Venice. We used all
10 these Boston details, but our intention was not just to
11 reproduce old Boston, but to develop a fresh new piece
12 with a variety of public spaces, unique public amenities,
13 -to offer a rich urban experience.

14 To this extent, so that this is not a
15 project--a homogeneous project, but so that it has the
16 richness and vitality of a real city, we are collaborating
17 with nine other architectural firms, four of them local
18 firms. These are architects that were chosen very
19 carefully, architects that have a proven record of doing
20 beautiful buildings, sensibly put in context with handsome
21 details so that we can be assured that the proposal being
22 presented will be carried through in elegance and quality.
23 These are all architects of international reputation. We
24 have also been collaborating very closely with the

1 architects of Pier 4 because it does seem that Pier 4 and
2 the Fan Pier are seen as a coherent project, not as two
3 development sites that just happen to be side by side.
4 We are restructuring them to the fabric of Boston, and
5 we are indeed stitching together the project as one.

6 Thank you very much.

7 CHAIRMAN FARRELL: Before you leave, Mr. Pelie,
8 I think it is to you I want to address the question of
9 whether or not the criticism that's been made that there
10 is too much diversity there, too many different
11 architects; that there are too many structures that are
12 not Bostonian. Someone described them more Las Vegas than
13 -Boston.

14 MR. PELIE: Yes, I am aware. I am aware of
15 those comments. I know the person who has made them is a
16 person for whom I have a great deal of respect. In this
17 case, I think he is totally mistaken. I think that all
18 you need to do is to look at our drawings. What do you
19 see of Las Vegas in that drawing of the canal? Probably,
20 the writer has never been to Las Vegas.

21 I believe there may be too few architects in
22 this project. In any normal city, in every block, you
23 will encounter ten architects in each block. We have here
24 about fifteen blocks altogether, and there are only eleven

1 architectural firms, fewer than one per block. That is
2 not too many architects. Otherwise, what you end up with
3 is a project like co-op city. I don't believe that that
4 is what anybody wants in Boston. I think that what one
5 wants for Boston is a rich city with variety, with a
6 richness of detail. We want each one block to be
7 sympathetic to the next, and that's why the architects
8 were very carefully selected to be architects ready to
9 work with each other. All of the great detail work--the
10 bulk of Boston architecture that will produce this kind
11 of sympathetic richness. A city is not-- Projects do not
12 make cities. Cities are made by many individuals putting
13 into the project his or her best ideas and contributions.
14 And I think that is what we are trying to achieve here.

15 CHAIRMAN FARRELL: Thank you.

16 I am going to take a couple of speakers out of
17 order if I might. I hear they have to get back their own
18 business, so I'll recognize Councilor Tierney and
19 Councilor McCormick. They wish to address the Authority
20 at this time.

21 COUNCILOR TIERNEY: Thank you, Mr. Chairman,
22 members of the Board.

23 My burden here today is to ask you to go slow
24 in granting approval of this plan development area, and

1 that before you give your approval you look at other
2 developments in the immediate area, including the McCort
3 property, the old Pappas property, the Port Authority
4 property, carefully consider the impact, particularly the
5 negative impact of the traffic flow, and the demand on
6 the infrastructure, such as the water and sewer services.
7 I think we made mistakes in the past. I think the
8 Authority has made mistakes in the past, and we can learn
9 from them. We can't look at this project in isolation.
10 It is not just the Fan Pier and Pier 4. There are many,
11 many acres in this immediate area that are awaiting to be
12 developed, and I would urge and recommend that the Boston
13 Redevelopment Authority create a master plan for the
14 entire area, reaching from Summer Street to the expressway
15 to the waterfront. Consider the impact of the depression
16 of the central artery, construction of a third harbor
17 tunnel, construction of a truck access road, construction
18 of two jails in the City of Boston, construction of an
19 incinerator, almost all of that activity is going to take
20 place around the perimeter of South Boston. Anybody that
21 had the displeasure of using the expressway to get into
22 Boston from the South Shore this morning knows the
23 problems, and they aren't getting any better.

24 We have to deal with the very real problems of

1 traffic, with water, with sewer, with density, and, more
2 importantly, the impact and quality of life in South
3 Boston where it will change forever, as it has been in the
4 town you grew up, Mr. Chairman, Charlestown. That has
5 happened in the South End. We have to carefully evaluate
6 the negative impacts of the entire area. Should the Fan
7 Pier be developed? Yes. Pier 4? Yes. But I think we
8 have to look at the entire big picture.

9 Thank you very much.

10 CHAIRMAN FARRELL: Thank you, Councilor.

11 Councilor McCormick.

12 COUNCILOR MCCORMICK: I would like to speak
13 here today in support of the designation of the Fan Pier/
14 Pier 4 project as a planned development area. I assume
15 that the Board-- I think it's actually a matter for the
16 Board to consider the concerns raised by Councilor Tierney
17 a few minutes ago--one of control, that the concerns
18 raised by the previous speaker and others will be taken
19 into consideration by this Board; that this Board will
20 have control over the project; and that the project,
21 when approved, in whatever form, will be something that
22 is compatible not only with the South Boston community,
23 but with the entire fabric of the City of Boston.

24 The public amenities I don't think need to be

1 restated. The linkage payment, the revenue--tax revenue,
2 the permanent jobs that would be created by this project
3 are obvious benefits to the City of Boston.

4 I do, however, have several reservations. One
5 is that the continuing input of the Boston Redevelopment
6 Authority, and the community, and with those who have
7 various concerns, specifically as they relate to traffic--
8 as they deal with traffic, concern transportation, and the
9 impact on the city services, specifically, the water and
10 sewer problem, and all of the other projects that are
11 being proposed, that the discussions and the lines of
12 communication should be kept open. I think the Citizen
13 -Advisory Committee's role should be enhanced, not
14 diminished.

15 And I will end, again, by saying I support the
16 designation of the Pier 4/Fan Pier development as a
17 planned development area with the reservation that the
18 BRA continue to deal with the community as they have to
19 make this project, which is certainly an exciting and
20 terrific project, compatible, and make it a project that
21 we will be proud of long after you, Mr. Chairman, and
22 members of the Board, are not in government. Thank you.

23 CHAIRMAN FARRELL: Thank you. I hope to hear
24 some of the answers to the questions that have been raised

1 today.

2 Mr. Friedman.

3 MR. FRIEDMAN: During the course of our
4 discussions with the city agencies, our EIR process,
5 commentary which we received from the public, many of
6 these people have asked the question of whether the public
7 spaces in this project work, whether there is too much
8 wind and too much shadow, whether this is really a good
9 public space that we have tried to create in the Harbor
10 Walk and the Canal Walk, and in the whole area. In light
11 of that, and in light of our philosophy to bring the best
12 talent possible to bear, we engaged the services of a
13 consultant whose name is William Holly White. Mr. White
14 has come here today from New York to speak to you for a
15 minute or two. Mr. White is considered the nation's
16 foremost expert in public open space. He has been a
17 major force in the redesigning of New York City. He is
18 the author of the book, The Organization Man. He spent
19 the last fifteen years studying public open space. He
20 wrote a very well known book called Life in Small
21 Different Places. Here in Boston, he is the Chairman
22 of the Copley Square Jury. He selected new designs for
23 Copley Square. He is an AIA award winner. And Mr. Holly
24 White is the Director of the Park and Conservation

1 Association.

2 We have asked Mr. White to look at the plans,
3 give us recommendations, and work with us as we go on so
4 we make sure that this is the best possible public space
5 that we can create. I would like to introduce Holly
6 White.

7 MR. WHITE: My name is William White. I live
8 at 175 East 94th Street in New York.

9 From the open space point of view, this is an
10 extremely exciting project. What strikes me is the great
11 variety, the great variety of spaces, not just one or two
12 large undifferentiated spaces, but the whole series, some
13 of a different scale, some busy, some quiet, some
14 enlivened by being close to retail, and that is a very
15 important aspect of this project. It's got a canal walk,
16 a harbor walk, and all sorts of views. And, incidentally,
17 I think an absolutely smashing view of the business
18 district is really going to be one of the great views.

19 Perhaps the key space is outer harbor wall,
20 which should be one of the finest esplanades in the
21 country. Now, this is a very windy place which is great
22 on a nice hot summer day. The question is how can one
23 extend the effect of season. Is it possible to develop
24 some sort of a receding wind modification so that when

1 that temperature goes down, as it does so in March, that
2 people will be comfortable? And I think the answer is
3 decidedly yes, it can be done. This is a very interesting
4 challenge here, I think, for Boston. No city has yet come
5 up with anything that has ever been done along this line.
6 Most of the wind and sun traps that you find are
7 inadvertent. They didn't mean it to be that way. It just
8 worked out, and it's very nice that it did. Without going
9 into the details, I think it's fair to say that there is
10 enough new precedents which we have been looking into to
11 answer the question, "Yes, we can, indeed, develop a sort
12 of module." I'd say one thing: Glass panels will be very
13 important, modules which would make a very attractive,
14 very comfortable city, and it would be very attractive.
15 As I said, again, this will be a first.

16 A word about siting of a very important trifle,
17 sitting spaces. The developers have gotten SON to do,
18 in addition to its already detailed study, an extremely
19 detailed study every hour practically on the hour of the
20 sun in different places. And with this and very a
21 complete wind done that is available, there should be
22 potential jobs of siting the city, not the way it is so
23 often done here, so it looks nice in a planned view, but
24 where it makes sense from the viewpoint of the common

1 people. Finally, a word about-- Incidentally, one of
2 the things that can be done with the seating is a
3 tremendously important trifle, right angle seating for
4 groups. It's a great thing. You can see, even today,
5 down at Harborpark. There's a very groovy crowd here in
6 Boston. Many people (inaudible) very congenial, and,
7 often, because there isn't the kind of sitting weather
8 (inaudible) like to have face to face conversations, they
9 will sort of improvise. I think it's a wonderful
10 opportunity, really.

11 Now, finally, just a word about what you might
12 call the place. In addition to being a wonderful place to
13 stroll, it's a great public place so our needs are
14 met for some time. The area right near the hotel, we
15 think, is a very excellent place. Like the civilian pier
16 would serve a number of different uses. Not only would
17 there be an additional wind screen, it would be a place
18 where people sort of come to. It would be a place where
19 food could be served, access to restrooms; but, in
20 general, a place around every place, a meeting place.

21 Just, in sum, I think we can get back to this
22 point about variety. Few projects will enjoy such a
23 wonderful variety of places in which people can choose
24 the thing that is congenial to them. It should be very

1 exciting, it should be very comfortable, and I think,
2 fundamentally, very congenial.

3 CHAIRMAN FARRELL: Thank you, Mr. White.

4 MS. WATTS: Chairman Farrell, members of the
5 Board, I would like to return the setting to the text
6 boards. And while the teams are removing the site plans,
7 I would like to address five myths that have grown up
8 around these two projects. These myths, according to our
9 study, I believe it to be true, have no basis in fact, and
10 I would like to put the record straight.

11 The first myth, and I am sure you have all
12 heard these things said, is that these projects, in
13 combination, equal five Prudential Centers. This is not
14 true. The Prudential Center equals 4.7 million square
15 feet of space, these projects, Fan Pier and Pier 4, in
16 combination, 4.6 million square feet of space when they
17 are totally built out eight years from now, as presently
18 proposed. So, it's equal in size, the project in
19 combination, to less than one Prudential Center; and,
20 obviously, the open space planning makes it considerably
21 a different project.

22 A corollary point is that these project are
23 the biggest projects in the history of the City. They are
24 neither the biggest in density, in the heights, in the

1 tallness of the buildings, in the total square footage or
2 in the land area. I give you one point of comparison.
3 This is a twenty-five acre plus ten acre--twenty-five acre
4 site, including in addition ten acres of water. The
5 Charlestown Navy Yard is one hundred five acres. The
6 proposed build-out for Fan Pier/Pier 4, 4.6 million square
7 feet. The Navy Yard has proposed 5.8 million square feet
8 build-out.

9 The second myth is that the cost to the public
10 of these projects is three billion dollars. Implicit in
11 this myth is that the central artery is a mitigation
12 measure for Fan Pier/Pier 4. Our studies show that this
13 is not the case. Secretary Salvucci, in addressing the
14 Citizens Advisory Committee in January, said it more
15 simply. He said it was absurd--he used the word
16 "absurd"--to consider that the central artery project
17 is a mitigation measure for the Fan Pier/Pier 4. There
18 have been highway improvements under design for twelve
19 years, way before the initial propositions were made for
20 these sites to the City of Boston.

21 The third myth is that these projects had been
22 snuck through the approvals process. And I can vouch,
23 having attended one hundred ninety-two community meetings,
24 that we have not snuck through anything.

1 The fourth myth is that we would be dumping raw
2 sewage into Boston harbor. We will not be dumping raw
3 sewage into Boston harbor. We will be building an entire
4 new modern sewer system, and addressing two important
5 Massachusetts Resource Water Authority policies, the two
6 for one infiltration reduction policy and the combined
7 sewer overflow policy, which you will hear from our
8 consultants in just a minute.

9 The final and fifth myth is that we will be
10 causing bridge loss with the development of the projects.
11 Our studies show this is not the case. Our studies have
12 been supported by Secretary Salvucci, Commissioner Dimino.
13 -Our build-out schedule is entirely appropriate for eleven
14 current and planned local and regional highway improvement
15 projects, including the new Northern Avenue Bridge, the
16 repair of several other bridges, and other new highways.
17 In addition, we have forwarded to the City in the last
18 month one of the very first transportation access plans.
19 I believe you have copies before you. This plan commits
20 to an unprecedented monitoring program for both on and
21 on site traffic, and unprecedented mitigation measures
22 for the both the construction phase and the occupancy
23 phase of these projects.

24 Many of these studies that I have referred to

1 have been produced by our environmental impact team
2 headed by Skidmore, Owens & Merrill. I commend to you
3 their work with a quote by Secretary Hoyt upon the
4 certificate of adequacy issued for our final EIR.
5 Secretary Hoyt said, "This may be the best environmental
6 impact report ever done by a private developer." I'd
7 like you to hear, for one minute each, from three of these
8 EIR consultants, and they will introduce themselves to
9 you now.

10 CHAIRMAN FARRELL: Will you promise it's one
11 minute apiece?

12 MR. HENDEN: My name is Rich Henden. I'm the
13 transportation consultant on this project. I'm the
14 president of (inaudible) Associates. My residential
15 address is in Medfield, Massachusetts, and my business
16 address is at 60 Birmingham Parkway in Boston.

17 Since 1982, my firm has conducted an extensive
18 series of studies of the Fan Pier and Pier 4 developments.
19 Through our work in preparing the final environmental
20 impact report and the transportation impacting access
21 plan, we have determined the impacts of both of these
22 projects can be matched. The mitigation measures prepared
23 for this project are extensive and unprecedented.

24 Highlights of the department's commitment to

1 mitigation include reducing construction truck and
2 (inaudible) travel, interim operation of a shuttle bus
3 stopping at major downtown MBTA stops, water taxi service,
4 preparation of an annual transportation access plan
5 monitoring the travel demands created by the project, as
6 well as on site road rate operating conditions.

7 If I could close by quoting Secretary Salvucci,
8 I think he said he it best when he said, "If you assume
9 that economic development is a good thing for the region,
10 if you want to see the Boston metropolitan area economy
11 continue to grow and provide jobs, it is hard to imagine
12 a better place in the region for this expansion to take
13 place than here as an extension of the downtown."

14 Thank you.

15 MR. KAY: My name is Bob Kay. My residential
16 address is 20 Intervale Road, Brookline. And I am an
17 associate of Skidmore, Owens & Merrill. Our business
18 address is 334 Boylston Street in Boston.

19 CHAIRMAN FARRELL: You're limiting it to one
20 minute, right?

21 MR. KAY: That's my goal.

22 The Fan Pier and Pier 4 developments are
23 committed to improving the infrastructure surface in
24 South Boston, and improving the water quality of Boston

1 harbor. The proponents have conducted extensive planning
2 and agency coordination efforts. Water quality in Boston
3 harbor will be improved in the following ways. First,
4 the incidents involving a combined sewer overflow will be
5 dramatically reduced. These overflows of untreated sewage
6 in the harbor occur when storm water and ground water
7 enter sewers mixing with raw sewage and causing an
8 exceedance of sewage capacity. Dry weather overflows
9 will be eliminated, and wet weather overflows will be
10 dramatically reduced. This will be accomplished by the
11 developers through the elimination of the inflow storm
12 water and infiltration ground water from area sewers in an
13 amount that is twice the volume of sewage being generated
14 by the projects. This two-for-one inflow and infiltration
15 reduction corresponds with new State and City policies and
16 objectives. Combined city overflows will also be reduced
17 by the developer's commitment to reconstruct a portion of
18 the South Boston interceptor that is presently causing
19 discharge of sewage to the harbor. Water quality in
20 the environment will also be improved with the provision
21 and the maintenance of on site and off site separated
22 storm drain systems with pollution abatement facilities.

23 I'd like to close with a quote from the Boston
24 Water & Sewer Commission who reviewed these proposals and

1 issued their comments in a letter to the Secretary of
2 Environmental Affairs. I quote: "The proposed water,
3 sewer and drainage systems in this section of South Boston
4 advanced the overall plan for the area in a responsible
5 and technically feasible manner." Second, to continue
6 with the quote, "The proposed water, sewer and drainage
7 system improvement to be undertaken by the Fan Pier and
8 Pier 4 proponents will contribute to the betterments of
9 area-wide services and will help contribute improvement to
10 the water quality in Boston harbor."

11 CHAIRMAN FARRELL: Thank you, sir.

12 MS. ALTSCHULER: My name is Karen Altschuler.
13 I live at 44 Waverly Street in Brookline. And I am the
14 principal in charge of the Boston office of Skidmore,
15 Owens & Merrill at 334 Boylston Street in Boston.

16 I have been the partner in charge of the
17 environmental work--full environmental work on this
18 project for the last five years, supervising the work
19 not only in transportation and infrastructure that you
20 have heard described, but in the long ranges within that
21 category. We began this work in 1982 with the submission
22 of environmental notification forms, once for draft, and
23 final, and then environmental impact reports in the State
24 process culminated in Secretary Hoyt's decision on

1 February 9th on the adequacy of the final EIR. But from
2 the moment the final EIR was submitted, we continued our
3 work to improve on the environmental quality of the
4 project and to develop a broader impact mitigation plan
5 which you have in front of you today.

6 In addition to traffic and infrastructure, we
7 have studied air quality, noise, visual quality, shadow,
8 wind, pilings and public access water related activities,
9 water quality, and construction impacts, perhaps the
10 broadest scope of any of them in a study that has been
11 done in many years in the State of Massachusetts.

12 Throughout this work, we have had two objectives in mind,
13 one to identify, analyze, and record the full range
14 of environmental effects for the project so the decision
15 makers can make their decisions about it, but, secondly,
16 equally important, to apply those environmental findings
17 directly to the project in its planning and design.

18 In every single impact study we have analyzed,
19 the team has effectively, and I think imaginatively,
20 integrated our environmental findings of the project
21 design and entered the extent of the mitigation plans.
22 That has been completed and committed to by the proponents
23 on the project. As a result, impacts have been eliminated
24 or have been effectively managed, one example of the

1 categories--interrelated categories of wind to shadow and
2 visual impacts that you have heard discussed a bit already
3 today. As a result of detailed computer studies done
4 in relation to shadow, extensive wind testing and
5 retesting in the MIT wind tunnel, and many sketches and
6 drawings that have been done of the project from important
7 Boston viewpoints, the projects have been creatively
8 improved and changed. There is more sun in the public
9 open space and there will be for (inaudible). There are
10 improved wind conditions, and the buildings have changed
11 in height and orientation, as well.

12 We feel this is a good example of the
13 integration of environmental work and the project design,
14 that is the result of the elimination of many of the
15 impacts which we identified. The environmental process
16 working with the State, review process with the BRA and
17 their special requirements, and with the CAC over many
18 years and many meetings has served as a clearinghouse,
19 a focal point for community issues and concerns to be
20 expressed on the project. And we believe, as a result,
21 we have made effective changes, and have in front of us
22 today an environmentally sound project.

23 Thank you.

24 MS. WATTS: I will not renumerate the myriad

1 public benefits proposed by these two projects except to
2 offer a point of clarification. It disturbs me to hear it
3 said that the linkage commitment has been different over
4 the last couple of days. And I believe the point of
5 confusion comes in that we are among the first developers
6 to be offering linkage at the higher exaction rate,
7 meaning that we are creating both housing linkage and job
8 linkage. Those figures are fifteen million dollars for
9 housing linkage and three million dollars for jobs
10 linkage, the sum total of those benefits being eighteen
11 million dollars.

12 I'd like to highlight also two particular
13 benefits which will be provided by the Pier 4 project as
14 unique and unprecedented. The first of these is a
15 voluntary two million dollar contribution above and beyond
16 our linkage exaction for the creation of a South Boston
17 Homeowners Stabilization Fund. This will be a low
18 interest revolving pool of funds for long-term South
19 Boston residents which is estimated to serve approximately
20 seven hundred-fifty families in its initial disbursement of
21 funds. This fund will be ever growing as people return
22 monies to the fund with interest upon sale and
23 refinancing. The second unique benefit to the Pier 4
24 project are all those enumerated on this board and in the

1 documents before you. It is the provision of the first
2 on demand water taxi service in Boston harbor. A lot of
3 developers do water transportation studies. We have, with
4 these projects, provided you one, but we are saying that
5 we are so believing about the water transportation
6 potential of the harbor that we will buy some boats, staff
7 the service, and offer people the opportunity to go
8 anywhere they choose in Boston harbor.

9 In summary, I would say that we believe that we
10 have evolved these projects designed consistent with the
11 many, many documents the BRA has provided as general plans
12 for this area, Fort Point Channel studies, dating as far
13 back as the 1970's, the Harborpark guidelines which are a
14 good deal more current. We started, in effect, with
15 Tallman, McKinnel, and Wood, asking SON to forward all the
16 planning documents the BRA had ever produced for this
17 area. No one was displaced by these projects. The
18 impacts, we believe, we have fairly studied, and they are
19 manageable. The architecture promises to be superb on
20 both projects; and, as a result of this build-out over an
21 eight year period, the waterfront will be made accessible
22 to all. We surely understand that this is but one big
23 step in an ongoing public review process, and we urge your
24 approval so that we can go on to the next step.

1 Thank you.

2 In conclusion-- I promise this will be the
3 conclusion at this time. I would like to offer for
4 consideration by the Board some thirty documents we have
5 earmarked as exhibits. These documents reflect the
6 ongoing review process which has shaped this project.
7 They fall into seven general categories: an early plan
8 done in 1981 for Pier 4 and 3; the draft environmental
9 impact report; documents relating to the master plan----

10 CHAIRMAN FARRELL: In the interest of time----

11 MS. WATTS: I will enter a list.

12 CHAIRMAN FARRELL: Please, and make them part
13 of the record.

14 MS. WATTS: We ask that pursuant to
15 Section 31A of the code, the Authority does approve the
16 development plans and transmit the plans to the Design
17 Commission for its approval.

18 MR. FRIEDMAN: Just to wrap up our segment
19 here, these projects have been in planning for ten years.
20 They are going to be built out over time. They represent
21 unprecedented benefits for Boston, over twenty-five
22 million dollars in direct linkage and affordable housing
23 benefits. Several things which we are doing is creating
24 a hundred units of on site housing to families, and to

1 elderly and the handicapped, over thirty-four hundred
2 union construction jobs, job linkage payment of three
3 million dollars, jobs agreement with Mayor Flynn's office,
4 a minority participation in preferences in procurement,
5 and a donation of the museum site, canal, etc. There will
6 be continuing design review with the BRA staff, and the
7 CAC, and BCDC over the time to come.

8 During the Flynn Administration and the Dukakis
9 Administration, you have created an atmosphere whereby
10 these projects can go forward in a healthy way. There is
11 continuing community review and CAC input. It has been a
12 very tough and demanding job to date. We expect that it
13 will continue to be in the future, and we look forward to
14 continuing to work with Mr. Coyle, and Mr. Flynn, with
15 Mayor Flynn, Mr. Dwyer, Al (inaudible), Secretary Hoyt,
16 etc. These are projects in which we can be proud that
17 we have all created together. We are creating really not
18 a project, but a place. We are really creating not
19 buildings, but a new neighborhood. Please remember in
20 your deliberations the following. These are private
21 projects. They involve enormous financial risks on our
22 part. They are financed by private capital, and they have
23 difficult financing needs. People will testify later, I'm
24 sure, that there is not enough affordable housing, or this

1 isn't good enough, or that isn't good enough. There are
2 limits to what we can do. We want to do as much as we can
3 consistent with our financial feasibility, but we can't
4 solve all the problems of our City in this project. And
5 yet, we have projects which have massive, unprecedented
6 developments for the City and its people without any
7 demolition, without any displacement.

8 This site has been carried for twenty-five
9 years by a single family without a dime of public subsidy.
10 These projects embody much of what America and this
11 building is about. I would like to just say that these
12 projects are the result of a dream of a really great
13 American, a great businessman, and a great philanthropist
14 and citizen and visionary. I would like to ask Anthony
15 Anthanas to say a couple of words.

16 MR. ATHANAS: Mr. Chairman, members of the
17 Board, I live at 75 Atlantic Avenue in Swampscott, but
18 some people think I live at 149 Northern Avenue in Boston
19 because I spend more time there than anywhere else.

20 Some years ago-- Several years ago, I addressed
21 the recipients of the immigration papers that they
22 received here. I was invited by Judge Tauro to speak to
23 them. And I told them about a songwriter called Rodgers
24 who wrote a song, "You've Got to Have a Dream to Make a

1 "Dream Come True." And this is the land where dreams come
2 to fruition. And this very edifice that we are here in
3 today was put up by a French Huguenot, Fanueil, and his
4 colleague, Paul Revere, also a French Huguenot, which were
5 not the majority, and they left something in this land of
6 ours. We don't flatter ourselves. We don't flatter
7 ourselves that we are going to be as Fanueil was, and Paul
8 Revere was, but we really are very much interested in
9 leaving something for posterity for this great city.
10 It is the greatest city in the country today.

11 Once this all came from-- I'll just take two
12 minutes, Mr. Chairman. I went up and down Atlantic
13 Avenue thirty-five years ago looking for locations for a
14 restaurant that I wanted to put into Boston. Railroad
15 cars were running all along Atlantic Avenue and on
16 Northern Avenue, and the shipping business was
17 deteriorating. The railroads were having bad times, so
18 things were very bleak. But I saw at that time that the
19 future was the waterfront, so I bought this property.
20 But, previously to that, I was the second bidder, because
21 the City had sold it in an auction. And one speaker that
22 we are not in desperate need of building. Well, they were
23 certainly needed at that time, and who knows if we lose
24 the momentum, things can turn around, because they have

1 turned around in Houston, in Denver, in Cleveland, and
2 other cities, too. So, we want this city to be viable.

3 So, I bought this here, and then I saw-- Then
4 I bought Pier 1, Pier 2, Pier 3 later, and then later I
5 bought Pier 4, and I put it together. And I asked my
6 accountant just a couple of days ago, I asked him how much
7 money have I got in here--that my family has in this
8 project throughout these years in carrying it because it
9 hasn't been a burden to the taxpayers of Boston, the
10 taxpayers of the State, and the taxpayers of the
11 Federal--of the country. It was carried by my family
12 throughout the years. And I asked him, "How much money
13 do we have here if we had put it in treasury notes and
14 other notes of that kind?" And he figured it out, and it
15 took about five days, and he thinks about twenty-eight
16 million dollars we have into this, that we put in. Now,
17 that was a risk, but I wanted to take it, and no one
18 turned my arm around to do it, because I have confidence
19 in this city. I had it then when I came into Boston
20 thirty-two years ago, and I have it today. And I think it
21 is going to make a hell of a contribution to Boston.

22 CHAIRMAN FARRELL: Next on the agenda, I am
23 going to invite some comments from the representative of
24 the Administration, but, before doing that, we have two

1 stenographers over there who I'm certain would appreciate
2 a ten minute break.

3 (Ten minute recess.)

4 SPEAKER: I'm the Executive Director of the
5 Mayor's Committee on Handicap Affairs in the City of
6 Boston. I live at 15 Nixon Street, Dorchester, and I
7 work, of course, in City Hall, Boston.

8 The Mayor's Commission was created by City
9 Council in 1971, and it is a city department which works
10 cooperatively with other city departments in the State
11 and private agencies, such as the Boston Redevelopment
12 Authority, to study the needs of the City's disabled
13 population, to propose new programs or changes in current
14 programs that are necessary to guarantee the quality of
15 access.

16 With respect to the Fan Pier/Pier 4 development
17 plans, the Commission has reviewed the plans at the
18 invitation of the Fan Pier developer, Mr. Friedman, and
19 the Boston Redevelopment Authorities. I and members of my
20 staff have made a number of recommendations which have
21 been incorporated in this design improvement, listed on
22 Page 9 of the urban study material submitted to the Boston
23 Redevelopment Authority on March 15th, 1987.

24 Items listed in the report that are

1 particularly important for providing access to disabled
2 persons are--and I have listed six of them--the Pittsburgh
3 and Farnsworth Street bridges have been lowered
4 approximately two feet in order to provide an eighty
5 percent maximum grade that meet all barrier free access
6 standards. Both pedestrian crossings would be barrier
7 free. All (inaudible) walks will have slopes of less than
8 one in twenty providing very free access throughout the
9 project. A ramp has been located adjacent to the Harbor
10 Walk overlook, providing barrier free access directly from
11 the oval to the Harbor Walk. Public elevators located in
12 the retail portions of Building F will connect all levels
13 of parking to canal walks and street levels. In addition,
14 elevators of Building B or C will connect parking to the
15 canal walks and bridge level. And, six, the Hotel
16 (inaudible) has been redesigned to provide a clear and
17 accessible public connection right almost to the marina
18 and breakwater.

19 One particular item which the Commission would
20 like to see resolved prior to building permits being
21 granted is the issue of accesibility along the pedestrian
22 walkway adjacent to the canal docking facilities. While
23 we recognize the unique problems being posed (inaudible)
24 in trying to propose a readily accessible path of travel

1 along this area, we recognize that this problem is one
2 created by design as much as by Mother Nature. While the
3 Commission recognizes the importance of the canal to the
4 overall ambience of the design being followed, and the
5 architect responsible for its conception, we do not feel
6 that the proposed ambience should ever be given priority;
7 however, access for disabled people, as they are citizens,
8 too, should come into the same conception and
9 consideration in design as the general public.

10 The Commission has not reviewed the materials
11 specifications of this development project. I would like
12 to suggest that all materials used in constructing
13 sidewalks and ways be of a texture that is inviting to
14 all persons and not just those who are ambulatory. In
15 short, we would appreciate the use of items such as
16 cobblestones to be for aesthetic use only, as they are
17 not suitable for easy access by many people, including
18 those with mobility limitations.

19 Finally, the Commission would like to remind
20 all persons responsible for design review and approval
21 that the State public accommodation law provides that
22 all persons, including disabled persons, have the right
23 to the full and equal accommodations advantages,
24 facilities, and privileges of any place with public

1 accommodations, have placed in public accommodations,
2 defined in part, as being a carrier, conveyance, or
3 elevator for the transportation of persons, whether
4 operated on land, water, or in the air, in the stations
5 (inaudible) or pertinent thereto. As such, the Commission
6 expects that all plans to provide water transportation to
7 and from this development for use by the general public
8 will include accommodations for persons with disabilities.
9 Any and all of the transportation provided, whether on
10 land, water, or in the air, must be made readily
11 accessible to disabled persons in order to be consistent
12 with the public accommodation law.

13 Insofar as attitudes, generally, the biggest
14 barrier to overcome the access related problem, I would
15 like to close my comments on a positive note. To date,
16 the Commission has had nothing but positive communication
17 between all parties involved in this project, and it is
18 convinced that the further needs and discussion will
19 resolve all remaining issues, including those related
20 here.

21 It has been a pleasure working with both the
22 Boston Redevelopment Authority staff and the agency
23 associates, and Mr. Friedman. My thanks to the Fan
24 Pier/Pier 4 Citizens Advisory Committee for (inaudible).

1 Thank you.

2 CHAIRMAN FARRELL: Thank you, sir. I'll see
3 that your statement is made part of the record.

4 Kristen McCormack.

5 MS. MCCORMACK: My name is Kristen McCormack,
6 and I am Director of the Mayor's Office for Jobs and
7 Community Services. My residential address is 27 Upham
8 Avenue in Dorchester, and my office is located at
9 15 Beacon Street in Boston.

10 I would like to update you on progress made to
11 date in the area of public benefits, specifically jobs.
12 The proposed Fan Pier/Pier 4 project will create
13 approximately thirty-five hundred construction jobs, or
14 the equivalent of seven million work hours. When the
15 project is completed, we expect approximately ten thousand
16 permanent jobs to come on line. Our interest in this
17 project, gentlemen, is that of ensuring access to these
18 new jobs for South Boston and Boston residents. To that
19 end, my department has worked closely with the BRA staff,
20 the CAC, and the developers over the past several months.

21 At this time, the developer has agreed to the
22 following: (1) payment of approximately three million
23 dollars in jobs linkage funds for job training;
24 (2) compliance with the Boston resident jobs policy,

1 including submission of a construction employment plan;
2 (3) participation in the Boston for Boston agreement which
3 ensures local residents for a shot at the newly created
4 jobs; (4) submission of an employment opportunity plan
5 to promote the hiring of South Boston and Boston residents
6 in the newly created jobs; (5) implementation of a
7 comprehensive outreach plan for informing South Boston
8 residents of the new jobs; (6) funding for a neighborhood
9 job stop where South Boston residents can get access to
10 job training and education programs; and, finally, the
11 development of a pre-apprenticeship training program in
12 conjunction with the JCS and the building trade unions.

13 Not every issue has been resolved at this time,
14 for instance, the creation of an on site day care
15 facility. But, we expect, based on the current level of
16 cooperation from the development team, the details will
17 be resolved as the project matures.

18 Do you have any questions, gentlemen?

19 CHAIRMAN FARRELL: None. Thank you,
20 Ms. McCormack. Would you give your statement,
21 Ms. McCormack, to our secretary, and I will see that it
22 is made part of the record.

23 Is Larry Dwyer here?

24 MR. DWYER: Mr. Chairman, my name is Larry

1 Dwyer. I'm the chairman of Fan Pier/Pier 4 Citizens
2 Advisory Committee. I reside at 1790 Columbia Road in
3 South Boston.

4 Throughout the past twenty-seven months, the
5 CAC has engaged in a process of comprehensive public
6 reviews of Fan Pier/Pier 4 development proposals. During
7 this time, we have heard or participated in no less than
8 seventy public meetings, involved in hundreds of
9 community (inaudible) across the city. The CAC's review
10 of the draft environmental review plan and the final
11 environmental review plan was extensive. The CAC has
12 been consistent in expressing community concern in
13 relation to any potential negative impacts of this
14 proposed development and has worked toward ensuring the
15 maximum possible degree of public benefits being included.

16 We believe that significant progress has been
17 made throughout the past twenty-seven months. Substantial
18 improvements in the design traffic mitigation planning,
19 reconstruction (inaudible) and public benefits have been
20 achieved as a result of intensive negotiations between
21 developers and the BRA staff, and other city departments,
22 based upon recommendations made by the CAC. As you are
23 aware, the CAC membership consists of representatives from
24 most of the active civic associations in the South Boston

1 community. Additional membership includes representatives
2 of South Boston's artist community, the Shipping
3 Association, Harbor Associates, the Chamber of Commerce,
4 ex officio members, such as the traffic and parking
5 department, and other interested parties as well as
6 members of the Harborpark Advisory Group. We have a broad
7 base of representation to ensure that the (inaudible)
8 of the CAC would be sensitive to and reflective of the
9 interest of the broadest possible constituency.

10 On behalf of the CAC membership, I would like
11 to update the Board briefly as to the current status of
12 the CAC's review of the PDA application relative to public
13 benefits. Significant improvements have, in fact, taken
14 place. Satisfaction in that proposal, as expressed by
15 Kristen McCormack of the Mayor's Office for Jobs and
16 Community Services, has been evident. Support in on site
17 housing has been consistently--has been responded to
18 effectively by the developers, and development of the
19 Neighborhood Stabilization Fund is something that the CAC
20 strongly supports. We also support--in the future the
21 support of the development of a neighborhood planning
22 process relative to the implementation of an affordable
23 housing program which will be made possible by the
24 linkage payments coming from this development.

1 The last issue I will address on the public
2 benefits is that the CAC believes that in some way, shape,
3 or form significant support from the BRA staff, other city
4 departments, and, if possible, the developers, must be
5 made available to the Fort Point Channel's artist
6 community and the artist residents of South Boston. We
7 will work with all parties to see if we can help to work
8 a satisfactory agreement.

9 In terms of infrastructure, we would like to
10 express our satisfaction with the improvements and
11 congratulations to the development team, and our thanks
12 for addressing most of the (inaudible) raised in our
13 letter to Chairman Hoyt relative to FEIR. We know that
14 there will be further public review conducted under
15 Chapter 91 (inaudible). But for our purposes, at this
16 point in time, relative to the PDA, we believe that the
17 infrastructure completed by (inaudible) has been, in fact,
18 successfully addressed.

19 Relative to design, I'm equally pleased to
20 express an opinion that the developers have worked
21 intensively with the BRA staff to virtually point-by-point
22 address the concerns raised in our FEIR letter on design,
23 and that we feel for purposes, again, of the general
24 zoning commitments that the PDA will make possible the

1 design which is in fact appropriate and is in complete
2 conformity to all conditions of the CAC.

3 Relative to transportation, one of the major
4 concerns of the previous transportation traffic mitigation
5 plan, significant progress has been made relative to
6 intergovernmental cooperation. The BRA staff, the Boston
7 Transportation Department, the Secretary of Transportation
8 Salvucci, and other governmental agencies are to be
9 congratulated relative to this cooperation. The
10 developers have made substantive commitments to date in
11 their transportation access plan. The CAC remains
12 concerned about one of the extremely important points
13 relative to the long-term mitigation of the transportation
14 planning demand is yet unresolved. Over the next week,
15 the CAC will be working closely with Commissioner Dimino,
16 members of the BRA staff, and the development team in an
17 attempt to assist in the development of a final traffic
18 access plan which adequately addresses our concerns and
19 the concerns of all interested parties, and most
20 especially residents of South Boston.

21 As of today, we are expressing our strongest
22 endorsement of Commissioner Dimiño's recommendation to
23 our committee and to you articulated in this letter of
24 March 18th, and we support the immediate implementation

1 of a restricted parking district for the Fort Point
2 Channel and South Boston neighborhood, and that you,
3 the BRA Board, can be instrumental in making that dream a
4 reality. This is an interim and preventative measure to
5 halt commercial parking lots sure to come about in
6 relation to parking spaces presently located in the
7 development site and in the general area. It is a CAC
8 prior to reduce the amount of traffic in the area and
9 explain (inaudible) essentially affecting the South Boston
10 community interests of existing local businesses in the
11 Fort Point Channel.

12 In closing, I would like to express the
13 Committee's strongest support for the BRA Board's decision
14 to extend, if possible, the period of comment until
15 Thursday, April 2nd. The CAC is committed to working with
16 all involved parties in order that we may finalize our
17 comments and recommendations to you by that time relative
18 to the Fan Pier/Pier 4 PDA application.

19 At the request of the Committee, there are two
20 main points which I must include in my testimony. The
21 first is a recommendation of the Committee that the
22 developers, and the BRA Board, more clearly state their
23 support, as they have, through their staff, for the
24 continuation of the public review process which will

1 guarantee the concerned neighborhood residents and other
2 interested parties be heard and addressed throughout the
3 life of this project; and, secondly, that the BRA Board,
4 through the Director and his staff, work with the CAC in
5 developing a master plan for the future development of the
6 entire Fort Point Channel area which will ensure that
7 growth may take place, but that it is balanced, beneficial
8 to the city at large, and, most importantly, sensitive to
9 the economic quality of life concerns of the residents of
10 South Boston and the city at large.

11 On behalf of the Committee membership, I wish
12 to thank you for this opportunity to express my position.
13 -Thank you very much, Mr. Chairman.

14 MR. DONLAN: Is it fair to say that you have
15 been at most of the public meetings involving the project?

16 MR. DWYER: Personally, Mr. Donlan?

17 MR. DONLAN: Yes.

18 MR. DWYER: Yes.

19 MR. DONLAN: The materials that we have
20 received indicate response to a whole myriad of comments
21 that I assume came from this public process. And am I
22 right in assuming that the responses and considerations to
23 the public comment that we find in these documents are in
24 fact in response to the issues that arose in the public

1 process which you have discussing?

2 MR. DWYER: Most specifically, Mr. Donlan, I
3 believe that many of the responses are directly related to
4 issues that we have articulated consistently in the
5 participation of the EIR--both draft and final EIR
6 process, and that, essentially, have been the two public
7 comments we have made. As I noted earlier, I think that
8 there is a pleasant feeling that many of the concerns we
9 raised, particularly throughout the infrastructure
10 design, have been addressed brilliantly by the development
11 team and with full cooperation, although it has not been
12 an easy process. We appreciate that. We do have some
13 concern over public benefits which we are trying to
14 bring to a conclusion in the discussions, and a few points
15 on transportation that we think are really critical in
16 terms of long-term review. But I think it is more than
17 fair to say that the development team has been responsive,
18 very responsive in working with the BRA staff to address
19 the points of concern in letters we have submitted to this
20 Board in the past.

21 MR. DONLAN: You found them both responsive and
22 respectful of the community position?

23 MR. DWYER: I would have to say that it has
24 been an extremely difficult process, Mr. Donlan. It has

1 time consuming. Many of us are not proficient in the
2 technical aspects of development. We have spent
3 twenty-seven months learning the business, and we have
4 received the greatest degree of respect and patience from
5 the development team. And I think we have, in turn,
6 exhibited that same courtesy to them.

7 MR. FLAHERTY: (Inaudible comment.)

8 CHAIRMAN FARRELL: Thank you, sir.

9 A copy of your letter I will make a part of the
10 record, Mr. Flaherty.

11 MR. DIMINO: My name is Richard Dimino. I'm
12 the Commissioner of the City of Boston Transportation
13 Department. I live at 455 (inaudible) in East Boston.

14 I am pleased to submit all the testimony
15 regarding the application of the Fan Pier/Pier 4
16 developers (inaudible). I reviewed the Fan Pier/Pier 4
17 transportation impact access plan, which was submitted on
18 March 16th, 1987, along with the most recent drafts of the
19 corporation agreements between the City and the
20 developers. While the sections on the construction
21 impacts and the monitoring mitigation represents
22 substantial steps forward from the environmental impact
23 report, I continue to have some concerns which can only
24 be resolved through further commitments to mitigating

1 project impacts.

2 When fully built in 1998, the two developments
3 are projected to generate more than forty thousand
4 personal trips a day and rely most--are heavily dependent
5 on transit. The measures we take to manage these impacts
6 and these demands in construction activities will be
7 critical to the well-being of the adjoining neighborhood
8 and to the operation of the city's roadway and
9 transportation system. They will also establish
10 precedents for planning future projects in the Northern
11 Avenue area.

12 On March 18th, I forwarded a letter to the
13 Authority outlining six transportation activities which
14 need to be addressed. The Boston Transportation
15 Department should reconsider the transportation access
16 plan until a substantial accordance can be reached on
17 these activities. I will identify them first and then
18 discuss the progress we have made on each one of them.

19 Substantial progress has been made on the
20 (inaudible) to you. The six activities are (inaudible)
21 for shuttle buses, public control over parking in the
22 area, initiate water transportation service, staff
23 transportation management association, establish a review
24 of approval process for the transportation access plan.

1 The Boston Transportation Department is working with the
2 Authority and with Fan Pier/Pier 4 Citizens Advisory
3 Committee to address these concerns. I am pleased to
4 report that there has been a significant progress in all
5 of these areas.

6 Now, I would like to describe the funding,
7 mainly, for our shuttle bus system. Realizing traffic
8 (inaudible) depends on achieving high levels of transit
9 use. The final EIR proposal for shuttle buses can help
10 achieve these goals. The developers have agreed to
11 operate an interim shuttle bus system. We support these
12 efforts, but what we seek further (inaudible).

13 Two, public control of the parking in the
14 (inaudible). The projected level of transit use in
15 the Pier/Pier 4 project can only be achieved if new
16 commercial parking lots do not emerge in the area in
17 response to the new commuter population. To prevent
18 such a market response, the Transportation Department
19 intends to establish parking controls in areas of South
20 Boston. Accordingly, I am pleased to submit to the Board
21 a proposal to extend the restricted parking district to
22 the Northern Avenue quarter. This proposal, identified
23 on the attached map as Area A, would extend parking
24 controls to the area bordered by the Reserve Channel of

1 the first street. I ask for your support and approval of
2 the parking control as part of the ongoing monitoring and
3 (inaudible) process in South Boston. Moreover, I would
4 resume with the South Boston Transportation Advisory
5 Committee to discuss extending these parking controls to
6 residential areas of South Boston. I'll seek your future
7 support for this extension.

8 Initiate water transportation systems. The
9 waterside location of the development makes harbor
10 transportation a productive measure to mitigate
11 (inaudible) transportation impacts. Ultimately, I foresee
12 a highly developed water transportation system functioning
13 as an integral part of the overall metropolitan public
14 transportation system. A number of pending road projects
15 will disrupt commuter traffic over the next decade, the
16 central artery (inaudible) project, the central artery
17 depression, and the third harbor crossing. State
18 subsidy of the north and south shore portions of the
19 system will become imperative. The transportation demands
20 created by the Fan Pier/Pier 4 projects will require at
21 least three other portions of harbor transportation
22 systems in place upon the (inaudible), one, an inner
23 harbor commuter link, including a possible stop at North
24 Station, two, a connection with Logan Airport, and, three,

1 connections serving tourists. The developers have already
2 made a commitment to a water taxi system and land side
3 facilities for a water transportation system; in addition,
4 that they plan a feasibility study to (inaudible) to work
5 with public agencies to (inaudible) transportation service
6 to the project. However, we need to confirm a commitment
7 to funding and (inaudible) transportation service that can
8 serve the (inaudible).

9 Four, staff transportation management
10 association. The Transportation Department is pleased
11 that the developers have made a commitment to participate
12 in the transportation management association. Such an
13 association can implement demand reduction strategy,
14 monitor on site and off site traffic and roadway
15 conditions, and prepare annual reports for city review.
16 The proponents have agreed to staff the TMA. This
17 dominion, however, needs to be further clarified. In
18 addition, the role and function of a TMA needs to be
19 better described.

20 Five, reduced construction of truck traffic.
21 The transportation (inaudible) proposes to use trucks
22 for all construction activity. The proposed truck route
23 across the Common Street bridge would affect highly
24 (inaudible) intersections. Removing (inaudible). I'm

1 aware that other projects in the area, including the
2 central artery depression and third harbor crossing, have
3 found barging to be cost effective. (Inaudible.)

4 Although the proponents initially stated that they could
5 (inaudible) by barge, and (inaudible), they have recently
6 agreed to continue to review the feasibility of the
7 project. The impact of the Fan Pier/Pier 4 construction
8 program are potentially too great to go forward without
9 such an analysis. The proponents have also recently agreed
10 to prepare construction management plans with the
11 projects. This management plan (inaudible).

12 In addition, the proponents must agree to
13 submit construction management plans in accordance with
14 the Authority developments which include the preview of
15 the Transportation Department and the CAC administrative
16 procedures. Given the complexity of the construction
17 program, the developers must submit an updated plan
18 annually for each new building, or upon (inaudible) of
19 the building, whichever comes first.

20 Six, establish a review and a preview process
21 for the transportation access plan. The access plan
22 submitted by the proponents sets out (inaudible). These
23 conditions can change radically due to a number of
24 factors. It is essential, therefore, that the access

1 plan be continually updated. The cooperation agreement,
2 therefore, must include a requirement with the Authority's
3 approval for specific buildings under Section 31A of the
4 zoning code, to be made only after access plans are
5 submitted and reviewed and approved. This review will
6 take place as part of the standard design review process.

7 Regarding the (inaudible) approval (inaudible)
8 March 20th, 1986, the corporation agreement for the
9 project's transportation (inaudible) identify construction
10 traffic and parking, and specify mitigation as to the
11 satisfactory (inaudible).

12 Monitoring, furthermore, must (inaudible) even
13 after the project has been completed. The access plan
14 needs to be clarified, to clarify the project also
15 including acceptable levels of service at all site
16 intersections, in addition to the public consideration of
17 expanding the off site monitoring sites from six
18 intersections to twenty-seven. It should be noted that
19 progress has been made in this area. The plan is now
20 being prepared to supplement the transportation access
21 plan annually. This plan will incorporate any changes
22 in the area, including background traffic,
23 interdevelopment activity, and then finally the
24 infrastructure improvements. Lawrence & Cabot, which

1 is another important element of the South Boston proposal,
2 both on and off site, is an important element to this
3 updated access plan. Monitoring to determine whether
4 projects have retained agreed upon goals for the economic
5 impacts, both on site and in the adjacent area.

6 If (inaudible) to make these goals, we have
7 agreed to implement additional measures (inaudible). In
8 addition to the annual review and approval of subsequent
9 transportation access plans, the developers are
10 considering the potential deferral of four buildings
11 should they be unable to mitigate the project's traffic
12 impact to that point. That is a significant and
13 unprecedented opportunity (inaudible). We look forward to
14 seeing specific details in cooperation and guidelines in
15 this agreement.

16 (Inaudible) will be provided for the downtown
17 new project. On infrastructure, a number of off site
18 construction projects that are important to build up in
19 this area. In some cases, monies are secured. In other
20 cases, it's not clear the proposed (inaudible).

21 The Transportation Department and the Authority
22 made appropriate statements in the interest of working
23 (inaudible) transportation programs in that area; that can
24 serve Boston, (inaudible), and the neighborhoods. I have

1 attached a list of the improvements, the responsible
2 agency, and the anticipated completion dates. The
3 Transportation Department is optimistic that the full
4 benefits of the Fan Pier and Pier 4 projects can be
5 realized without destructive transportation impacts in
6 South Boston. The community (inaudible) the following.
7 Subject to reaching substantial agreements on these
8 conditions and the underlying policy (inaudible), the
9 Transportation Department could support the PDA
10 application for the Fan Pier and Pier 4 developments.

11 Thank you, Mr. Chairman.

12 CHAIRMAN FARRELL: Commissioner, in a brief
13 summary, is it fair to say that what you have told us is
14 that there are problems, there are ongoing problems, and
15 that the staff of the BRA, your department, and the
16 developers have been working together in an attempt to
17 resolve those problems? Is that a fair statement?

18 COMMISSIONER DIMINO: Absolutely, a fair
19 summary, Mr. Chairman. The proponents, the BRA staff and
20 the CAC have been working very hard to make sure that the
21 transportation issues regarding this project are
22 addressed.

23 CHAIRMAN FARRELL: Thank you, sir.

24 I'll recognize the chairperson of the

1 Harborpark Commission, Lorraine Downey.

2 MS. DOWNEY: For the record, my name is
3 Lorraine Downey. I'm Chair of the Mass. Harborpark
4 Advisory Committee and Director of the Citizen Environment
5 Department. I reside in the Savin Hill section of
6 Dorchester.

7 I want to thank the Chairman of the BRA and
8 the Board for the extension of time. We are not
9 submitting written comments today, but will have them at
10 the close of the record. And I really thank you for the
11 opportunity. We're actually going to be meeting tomorrow
12 morning with the developers on some of the design issues.

13 I did want to take this opportunity to make
14 some general observations, though. My first dealings with
15 this development were in 1982. And I have written a
16 letter of comment in my role as Executive Secretary to the
17 Conservation Commission. And I think a point needs to be
18 made here. The improvement in this development, between
19 the 1982 design and what we have now, is immense, and I
20 think the benefits to the people of the City of Boston
21 are fantastic as far as any of the issues that we did
22 have at that point in time. The public access is much
23 improved. We didn't have it in the previous design. The
24 issue of water transportation, which we may do a little

1 more work on, but it's coming together. The issue which
2 I think is so important to the City, and it is a symbolic
3 issue, but the issue of low and moderate income housing on
4 these sites--on these waterfront sites are very important
5 to the whole concept of public access, and I just think
6 that the developers and the BRA staff deserve some thanks
7 along with both committees for putting a lot of work into
8 making these changes.

9 We do have some concerns which revolve around
10 the transportation issues which I think everybody is aware
11 of, and they are working to make sure that those things
12 get addressed. We have some other concerns--again, about
13 the water transportation and the businesses on the site--
14 but we're going to give you more specific testimony about
15 that in our written comments. And we think that they can
16 all be worked out. But I think that the changes, take
17 development--that (inaudible) to the City and make a real
18 asset to the City.

19 Thank you.

20 CHAIRMAN FARRELL: Thank you, Ms. Downey. We
21 will await your written comments. You have until the end
22 of March.

23 I have a statement from--and he can't make it--
24 from Robert Selig, of the Office of Budget and Program

1 Evaluation.

2 "Dear Mr. Farrell: I am writing with regard to
3 today's public hearing on the PDA applications for the
4 proposed Fan Pier projects. As I am unable to personally
5 attend the hearings, I am sending this written statement
6 to be entered into the record of the Authority's
7 deliberations.

8 "The Fan Pier's projects will provide a very
9 substantial increase in the annual tax revenues of the
10 City of Boston. Presently, the City collects \$647,731 per
11 year in real estate taxes from the Fan Pier and Pier 4
12 properties. After completion of the projects, this City
13 should collect more than \$20 million per year in real
14 estate taxes. This represents more money than all the
15 property tax revenues generated from all the three-family
16 homes in Boston. In addition, for those (inaudible)
17 and property tax revenues, the Commonwealth also will
18 receive over \$7 million in annual tax revenues. This
19 State revenue is derived from food and beverage sales
20 taxes of \$1,600,000, retail sales taxes of \$3,700,000,
21 and hotel taxes of \$2,200,000. Boston's share of this
22 hotel tax is, again, an additional \$1.5 million per year.
23 Thus, the total annual revenue to the City is estimated
24 to be greater than \$21 million per year. Twenty-one

1 "million dollars would pay the annual salary for more than
2 six hundred police and firemen and the operating budget of
3 twenty elementary schools.

4 "I hope this information is useful in your
5 deliberations. Sincerely. . . ."

6 That will be made part of the record.

7 I would also at this time recognize Mr. Bruce
8 Rousley from the Administration.

9 MR. ROUSLEY: Mr. Chairman, and members of the
10 Board, my name is Bruce Rousley. I'm reside at
11 1455 Commonwealth Ave. in Brighton. I am the City
12 Commissioner of the Arts and Humanities.

13 I want to express the concern of the City's
14 Office of the Arts and Humanities regarding the impact of
15 this project on Boston's resident artist community, living
16 and working in the impacted Fort Point Channel area. I
17 would like to make it clear that the issue of artists'
18 live/work space is in no way competitive with the need for
19 low and moderate income housing. Artists' requirements
20 are quite different from those of other segments of our
21 community. The situation of our Boston artists is similar
22 to the crisis faced by artists in other urban areas
23 throughout the country.

24 Artists, because of their need for bright open

1 space and freight elevators, are willing to move to
2 industrial areas where most of us do not choose to live.
3 The artists make improvements, and these previously
4 scorned areas become chic. The artists are quickly
5 followed by what we call the hanging plant people, who in
6 turn are followed by developers. All too often, the
7 artists are forced out for economic reasons and are
8 compelled to move on to pioneer other areas.
9 Unfortunately, Boston has run out of areas to be
10 pioneered.

11 A recent study by the Friends of Boston Art
12 stated that of Boston's seven thousand visual artists,
13 forty-six percent face potential displacement in 1987.
14 Our artists make a very real contribution to the quality
15 of life in the neighborhoods in which they reside. Today,
16 over three hundred fifty artists reside in the Fort Point
17 Channel section of South Boston. I believe that the BRA
18 Board and staff have the opportunity at this time to
19 address the issue of potential artist displacement in this
20 area. I urge you, in your considerations, to make the
21 plight of these Boston residents a priority in your
22 decision-making process.

23 Thank you very much.

24 CHAIRMAN FARRELL: Thank you, sir.

1 Mr. Rousley. Mr. Rousley, could we have your
2 statement, please, and give it to our secretary in order
3 to make it a part of the record? Thank you.

4 Now, the hour has grown a little late, and I
5 think I'll exercise my prerogative as Chairman to change
6 the format a little bit. I think we have heard a great
7 deal about what the project is, and there would seem to be
8 some support it. I would like to know how many people we
9 have here present in opposition to this project.

10 Okay. I wonder if the opponents would come up
11 here. I have a pad of paper over here. You could
12 record----

13 MR. LANE: I signed it already.

14 CHAIRMAN FARRELL: You signed it already.

15 Well, let's hear from you then, sir.

16 MR. LANE: My name is Arthur Lane. I make my
17 living in the shipping business, Peabody and Lane,
18 77 North Boylston Street, Boston. I've been in this
19 trade for some forty-seven years. I'm also president of
20 the Boston Shipping Association, and I have represented
21 them for some nineteen years.

22 This represents the Stevedore Company Steamship
23 Agency. And when we are not arguing with each other, we
24 are already on the waterfront because (inaudible) got off

1 off the boat together. In fact, everyone gets off the
2 boat at one time or another.

3 To give you a little background--I'm not
4 running for office--but to have an opposition, which is
5 not an opposition against the buildings. The future of
6 Boston obviously is in the area between Fort Point Channel
7 and Commonwealth Pier. The opposition is based on the
8 fact of transportation solely. It is based on the need of
9 the seaport of Boston to survive.

10 As you'll notice from the plans, and the
11 models here, the models face the downtown financial
12 district. The back is turned to South Boston. It ignores
13 the seaport. In fact, it requests Mr. Coyle's-- It
14 ignores the seaport area, and it ignores therefore New
15 England and the trade of New England, and some fifteen
16 hundred firms of New England that are dependent upon the
17 seaport of Boston.

18 To give you a little bit of background, because
19 we have all spent considerable time, the proponents and
20 ourselves, we've talked recently to each other at
21 (inaudible) and Pier 4 (inaudible). But, as a member of
22 the shipping firms, with a dedication to this port and a
23 dedication to the seaport and our own jobs, I have been
24 a member. We have supported Evelyn Murphy's Coastal

1 (inaudible) Management hearings. We established a
2 commissioner on the Port of Boston Harbor Commission with
3 (inaudible) Walsh. I was a member for twelve meetings of
4 the TAC Force that created the DEQ Chapter 91 regulations.
5 I was a founding member of the Harbor Associates, and
6 former president and trustee. I went back about 1973.
7 And, as such, I have been involved in the Northern Avenue
8 bridge, which went back to 1972. And we are still
9 studying it. As one member of the BRA said, "The port of
10 Boston has been studied to death." And, therefore, I'm
11 surely skeptical, and I think with good reason when we are
12 faced with new (inaudible) forty-foot box through South
13 Boston to the north and south, and the rest are in
14 highways. And we're told that there will be study, or
15 there will be a committee, and the committee will consider
16 why the truck is hung up. I don't believe that's
17 feasible. Until the roads are there, until the bridges
18 are there, (inaudible).

19 Second Avenue around Jewett, up the Broadway
20 Bridge, it's bad enough already. But when this proposal
21 begins, we're going to have a movement of five hundred
22 trucks a day, taking (inaudible) out of there and moving
23 up that railway cut. It won't help us in the least.
24 I'm presently a member of the Harborpark Advisory

1 Committee. I think that Mr. Dwyer's statement about the
2 CAC, including the Shipping Associates, was a bit of a
3 smooth (inaudible) because we're certainly not in
4 agreement with that.

5 Let's get down to a few facts. What we're
6 talking about, because it's a mental block (inaudible).
7 There are 350,000 or 400,000 trucks a day--I'm sorry--a
8 year that try to get out of South Boston. The new cement
9 plant, for example, the 250,000 ton of cement, will be
10 moved in some 30,000 trucks a year; the automobiles,
11 105,000 automobiles. You take a trailer, that amounts
12 to 25,000 trailers a year coming out of there. So,
13 we're talking 8,000 trucks a week. We're talking
14 1,500 to 2,000 trucks a day. We're talking five to six
15 trucks a minute trying to get out of South Boston.

16 For the very good reason that New England is
17 dependent, and really dependent, if can't move the freight
18 off the piers, (inaudible),-- A large portion of the oil
19 in New England comes through the port of Boston. A large
20 proportion of that comes through South Boston. What we're
21 doing here in order to move forward immediately for the
22 present owner of the land, or for an outside corporation
23 such as who testified, we're moving forward to the
24 potential killing and death of the port of Boston. It

1 is estimated that two hundred million dollars a year are
2 generated through the seaport in the ripple effect. We
3 have got forty-nine million dollars worth of pension funds
4 for the IRA. It costs us thirty-five dollars an hour to
5 hire an IRA (inaudible). And those men aren't commuters.
6 Those men live in South Boston. So, we're talking actual
7 jobs. We're not talking pie-in-the-sky (inaudible).
8 We're not talking fifteen years later (inaudible) or
9 fifteen years later when you haven't got the central
10 artery, and you haven't got the sea access route.

11 So, what I am saying in a rather emotional
12 manner is if we are going to preserve the seaport of
13 Boston, we've got to slow this down until we can ensure
14 that the trucks get in and out of South Boston. Keep this
15 port, and keep this section of New England alive. Thank
16 you, Mr. Chairman.

17 CHAIRMAN FARRELL: Thank you, Mr. Lane. I'm
18 going to make your statement that you have submitted,
19 together with a letter from Astrid Glenn of Gaston, Snow,
20 Ely and Bartlett--I think who represents you--made part
21 of the record in the hearing.

22 MS. JOHNSON: My name is Elizabeth Johnson, and
23 I live at 11-1/2 Greenwich Park in Boston. And I work for
24 the Massachusetts Audubon Society, and am Director of

1 their Boston program. Our office is at Three Joy Street
2 in Boston.

3 In our opposition, it is not so much an
4 opposition to the project ever being built----

5 CHAIRMAN FARRELL: Is this opposition of the
6 Audubon Society?

7 MS. JOHNSON: Yes, it is. It is opposition to
8 outright approval at this point given the outstanding
9 environmental issues that still exist surrounding the
10 project. We have heard today about progress being made
11 relative to the serious traffic impacts, progress being
12 made relative to the sewerage impacts, continued design
13 relative to the quantity and quality of the open space.
14 So, yet, we cannot support the project going ahead at this
15 point until these problems are fully resolved.

16 Most outstanding, we feel that the approval of
17 the project must be conditional as long as we are still
18 awaiting the binding mitigation commitments related to the
19 potential adverse impacts related to traffic, water
20 quality and air quality. When these commitments will
21 come-- Once we finally do get a totally accepted
22 mitigation plan accepted by the Secretary of Environmental
23 Affairs, and do feel that the BRA should be sensitive to
24 the fact that these commitments are still outstanding.

1 We feel we need this to make the City--to help further the
2 efforts to get these commitments and to make sure that
3 these commitments, through environmental mitigation, are
4 binding. Such things as the transportation access plan
5 are critical, and we are glad that that is going forth;
6 however, that is not yet totally worked out. We feel that
7 it would be premature to accept--to give unconditional
8 approval to it with this still outstanding.

9 Another problem, for example, is that these
10 mitigation measures do depend upon the building of the
11 seaport access road and the third harbor tunnel. These
12 schedules for the building of these projects, the final
13 funding for these projects, is still not final. Yet,
14 we're going to say this thing can go ahead. We are
15 pleased to see that the developer is making steps towards
16 facing the construction of the project towards the
17 improvement of his infrastructure, but we could see this
18 build-out happening even before some of these major
19 infrastructure projects even begin unless there are
20 additional steps taken for acquiring contingency plans,
21 say, if, for example, that there harbor tunnel doesn't
22 get built or is built on a much slower timetable. And
23 these are the reasons for our-- It's a little difficult
24 saying whether in terms of coming up for or against, but

1 at least still have very serious reservations at this
2 time.

3 CHAIRMAN FARRELL: If I understand you
4 correctly, you're looking for continued consideration of
5 the environmental problems that you have outlined?

6 MS. JOHNSON: That is correct. And although
7 there is progress being made, they are far from---

8 CHAIRMAN FARRELL: I understand. I understand.
9 Anyone else in opposition?

10 PROFESSOR FERREY: Mr. Chairman, I am Professor
11 Steven Ferrey. I am Professor of Law--Environmental Law
12 at the Law School of Suffolk University here in Boston.

13 I will be very brief----

14 CHAIRMAN FARRELL: Let's give your residential
15 address.

16 PROFESSOR FERREY: My business address is
17 41 Temple Street. My residential address is 25 Huntington
18 Road, Newton, Massachusetts.

19 With all due respect, the decision that
20 confronts you here today is not concerned with Ms. Watts'
21 proposals, but whether this development will work. I
22 don't believe anyone is contesting that this development
23 works withinside its perimeter.

24 MR. DONLAN: Mr. Chairman, could I find out who

1 the gentleman represents?

2 PROFESSOR FERREY: I am representing myself
3 here today.

4 MR. DONLAN: Could you spell your name, please.

5 PROFESSOR FERREY: F-E-R-R-E-Y.

6 CHAIRMAN FARRELL: I think what Mr. Donlan is
7 trying to explore, he just wonders why a resident of
8 Newton, who is representing himself as a resident of
9 Newton, is concerned with something that affects the City
10 of Boston.

11 PROFESSOR FERREY: Mr. Chairman, I teach in
12 this area. I teach in Boston. I teach students who work
13 in the city. I myself am a commuter into the city. And,
14 it is true, I live about a hundred feet over the Boston
15 line into Newton.

16 CHAIRMAN FARRELL: And you pay taxes in Newton?

17 PROFESSOR FERREY: Yes, I do. I pay sales
18 taxes, and I patronize establishments in the City of
19 Boston.

20 CHAIRMAN FARRELL: Continue, sir.

21 PROFESSOR FERREY: I submit that if you
22 properly calculate the FAR's on this project, they are
23 not 4.25, but closer to 9.00 if you properly calculate
24 them under the Boston zoning code. And I will be glad,

1 at a later point, to submit documentation of this.

2 I would also note that the numbers in the
3 traffic studies that you have here are identical to those
4 that were proposed in the final environmental impact
5 statement, a statement which Secretary Hoyt approved, but
6 adopted the transportation criticisms of many parties as
7 his own and as valid. These numbers do not look at what
8 happens in the general South Boston region beyond 1995.
9 They take an extraordinarily myopic look. In fact, the
10 chart study developed by Massport, and at the request of
11 Massport, shows three times as many trips in and out of
12 this area by the year 2010, as is examined in the
13 developer's proposal and in their information supplied
14 that is supplied to you. After a careful analysis that
15 I have made over the last six months, I would submit to
16 you that the traffic numbers deserve your careful
17 scrutiny. I don't believe they work. I don't believe
18 they make sense in terms of the future of this part of
19 Boston.

20 What the transportation studies do not look at
21 are the ramps leading onto the new seaport access road.
22 Again, the chart study, furnished by Massport, indicates,
23 that under any conceivable public transit scenario,
24 those ramps are going to (inaudible) and back up at both

1 AM and PM peak commuter hours by the year 1995. And if
2 that occurs, the shuttle bus which will use that
3 superaccess road to get from South Station to the
4 development will not be able to move precisely at those
5 times when it is most important.

6 In addition, I believe it is improper to take
7 credit for all the mitigation measures that are going to
8 happen anyway since they are happening, really, because of
9 this development. The City of Boston and the State are
10 dedicated to a very laudable array of transportation
11 improvement programs. But still, this development will
12 cause a precipitous decline in a number of intersections
13 in this whole area.

14 I think it is also interesting to note that the
15 five background documents that have been supplied to you
16 as part of this process are not being made part, or
17 incorporated, in the development plan. To me, I would
18 hope to you, that should tip one off that the developer
19 does not want to commit in any fundamental way to making
20 the numbers in this transportation backup studies part
21 of their submission or part of their commitment to this
22 city.

23 What is this City getting back? Well, it's
24 getting quite a bit. It's getting tax revenues. But I

1 would submit to you that those tax revenues are available
2 whether you allow a very dense high-rise development like
3 this, or whether you spread the existing development in
4 the six hundred acres that constitute the South Boston
5 waterfront corridor.

6 Secondly, there are linkage payments, but those
7 are required as of law. So, in a sense, those are not
8 benefits above and beyond what spreading this development
9 in a lower rise character to the area would provide.

10 And, there is affordable housing. What the
11 City loses, Mr. Chairman, I would submit, is a working
12 waterfront, a waterfront that is responsible for four
13 billion dollars a year of cargo traffic. The problem
14 with the waterfront, and with the Connolly terminal,
15 which is only one of two containing terminals in the
16 waterfront, is that there is no rail linkage. The
17 Connolly terminal is a (inaudible) for this development.
18 Because there is no rail linkage, and no prospect of
19 rail linkage, all trucks, to make this four billion dollar
20 port work, our cargo has to move by truck. And that's
21 why the transportation issue becomes key.

22 I note that the developers, on Page 5 of their
23 submission, claim that they are respecting the public
24 goals and guidelines for waterfront development in Boston.

1 However, those guidelines in the South Boston corridor
2 would specify fifty to sixty-five feet of building height,
3 not the up to four hundred feet that you are being asked
4 to approve here today.

5 Finally, I would like to briefly address the
6 cooperation agreement--the contractual agreement that
7 hopefully will guarantee the BRA and the City some of the
8 protection. Frankly, if any of my contract students were
9 to draft such a document, I would probably flunk them.

10 In many ways, this is what we, in contracts, call an
11 illusory agreement. There is very little that I can see
12 that the developer is firmly committed to, and that there
13 is much that the BRA and the City commit to. There are
14 goals mentioned, but not requirements for the developer.

15 The developer indicates that there is a commitment to
16 address some problems, but not to solve any necessarily.
17 There is promotion of flexible work hours, the provision
18 of public transportation, promotion of ride sharing, but
19 nothing to guarantee that the system will work, and that
20 is your concern as well as it is mine.

21 I also remember that there are a number of
22 escape clauses which the developer (inaudible); and I
23 would urge your attention to those clauses and see if they
24 might be tightened. One is that any traffic mitigation

1 measures will be implemented only in a manner that does
2 not adversely affect the financial feasibility of the
3 project. And that is not a very solid commitment for a
4 project of this scale with this traffic impact. Also, I
5 would note that the TMA has to cooperate in these
6 mitigation measures, and if they don't, the developers is
7 relieved of their responsibilities to mitigate. Finally,
8 I would note the very obvious escape clause, the
9 payment of fifty cents per gross area of commercial square
10 feet, or payment somewhere between a million and two
11 million dollars. The traffic mitigation initiatives above
12 and beyond the minimal lines of promotion and
13 encouragement that are in here are totally eliminated.
14 That's a very small payment. It is equal to
15 approximately one-tenth of one percent of these total
16 construction costs. And I would submit a careful look at
17 the Massport chart study will indicate that the
18 transportation impact is much greater than one-tenth of
19 one percent of the construction costs.

20 In a way, I also believe that it is difficult,
21 given the role the BRA is asked to plan this document,
22 for it to avoid a conflict of interest. The BRA is
23 contractually bound by this agreement to assist the
24 developer, much as a (inaudible) would be, to obtain all

1 permits. To an extent, the BRA's regulatory power, I
2 believe, is compromised to the position of being the
3 (inaudible.) The developer is committing only to the
4 monitoring of the reporting. There is no guarantee in
5 here of achieving workable levels of service at key
6 intersections. There are not assurances for the City.
7 And finally, I would submit, that in a legal and
8 contractual sense, what the City should be looking for
9 from the developer is not assurances of what we in
10 contracts call the remedy of specific performance.
11 Facing this project, so that it is built after it has
12 demonstrated, phase-by-phase, that the carrying capacity
13 of the infrastructure is able to ensure that the streets
14 keep working for the residences, for commuters, and for,
15 most importantly, I would submit, for the working
16 waterfront which is a major resource and something that
17 we are proud of.

18 Thank you, Mr. Chairman.

19 CHAIRMAN FARRELL: Before you leave, Professor,
20 did you participate in any of the meetings or hearings in
21 the community prior to this?

22 PROFESSOR FERREY: Yes. I attended probably
23 about a dozen of the meetings over the last six months.
24 If you look at the sign up sheets here, you'll see my

1 name listed.

2 CHAIRMAN FARRELL: I think there is no
3 question.

4 Anyone else? Madam?

5 MS. GAMBALE: My name is Martine Gambale.

6 CHAIRMAN FARRELL: Where do you live?

7 MS. GAMBALE: I live at 412 Sumner Street in
8 East Boston. I am also pleased to speak on behalf of the
9 Boston Linkage Action Coalition in regards to the largest,
10 most exclusive and extensive development in Boston. We
11 must be making history, and I pray, sir, that we
12 adequately examine the grand development area and the
13 effect of this development on the surrounding community.

14 We think the developers have come a distance in
15 affordable housing. Although the proposal is still
16 unsatisfactorily vague, especially in terms of how the
17 developers get to pay for it. But we are especially glad
18 to see some ownership opportunities and that the
19 developers have agreed to finish the units instead of
20 leaving them as empty shells. But we are still not
21 satisfied with the proposal, and here is why.

22 Luxury apartments like Fan Pier are rapidly
23 displacing Boston residents. Soaring costs for housing
24 have spearheaded this massive exit----

1 CHAIRMAN FARRELL: Excuse me, Miss. I don't
2 mean to interrupt, but who is being displaced by----

3 MS. GAMBALE: I myself. I have looked for a
4 home for five years in East Boston and metro Boston. My
5 husband and I make what could be termed a moderate income,
6 and we still are priced out of the housing market in
7 Boston.

8 CHAIRMAN FARRELL: On the Fan Pier or Pier 4?

9 MS. GAMBALE: Not directly, sir. And I was
10 going to get to that in the rest of what I had to say.

11 CHAIRMAN FARRELL: So the answer is no?

12 MS. GAMBALE: (Inaudible) at Fan Pier,
13 apartments can go for \$300,000 or \$400,000. Apartments
14 and other buildings in the area will go for the same kinds
15 of rates. It's not directly meaning that they are ruining
16 buildings that people have rented, but the whole area will
17 become a much more expensive place to live. And that's
18 what we are concerned with, as with the rest of the
19 Boston.

20 Each of these luxury housing units bring a
21 higher and higher price tag. That's part of the real
22 estate industry. Each new one has to be priced over and
23 above the last one. And what happens with that is the
24 existing houses go on up with it. These buildings do not

1 exist in a vacuum. They exist within the City of Boston,
2 and they affect all of us.

3 But, anyway, the reason why I'm vaguely opposed
4 to this is, across the harbor, there are plans to
5 (inaudible) the City of Boston. It's called Clipper Ship
6 Wharf. Both of the projects, I dread, because I can't
7 keep up with these higher and higher price tags.
8 Although, Fan Pier is going to be built on an empty space,
9 it will displace artists in the South Boston residence.
10 The artists of Fort Point Channel will see their leases
11 expire at the same time that the Fan Pier will open. And
12 recent history has shown that their leases will go to the
13 highest bidder. The Fan Pier is also close to the South
14 Boston residential neighborhoods; that it will cause
15 displacement there by raising the value of real estate
16 in the area so dramatically. Therefore, we are calling
17 for a doubling of linkage to mitigate these serious
18 effects in South Boston and Fort Point Channel artists
19 communities. We can justify this because of Chapter 91
20 and its requirement that Commonwealth tidelands be used
21 for a public purpose.

22 Scanning the Sunday Globe real estate section,
23 it shows that luxury housing is designed (inaudible),
24 for example, The Mariners, \$426,000; Cabot Estates,

1 \$465,000; Windsor Estates, \$425,000; and the glitzy Four
2 Seasons penthouse, \$832,000, including butler. I only
3 found one house not in Boston, near Boston, in Chelsea,
4 that I could afford to buy for \$70,000, with no
5 electricity. And the house had no plumbing in it. The
6 higher the price for luxury housing, the higher all
7 housing prices climb in the city.

8 The ten percent inclusionary development that
9 is being done on site is not enough. First of all,
10 according to the plans for the PDA, the developers are
11 going to be able to apply their linkage funds, or other
12 State and Federal subsidies, in order to pay for
13 affordable housing. And it is this unprecedented on site
14 affordable housing component the BRA has already started
15 implementing inclusionary zoning around the city and
16 other luxury housing developers aren't being given the
17 option of using their linkage funds to pay for their
18 affordable units. Inclusionary zoning means the developer
19 internally subsidizes the affordable units, not that the
20 developer can use the linkage or the State or Federal
21 subsidies. We can only prevent gentrification if this
22 project has a lot of affordable units in it. That's why
23 we have been calling for fifty percent of affordability
24 on the project, and twenty percent----

1 CHAIRMAN FARRELL: Fifty percent?

2 MS. GAMBALE: Uh-hum. That's correct. And
3 twenty percent inclusionary zoning requirement, as well as
4 doubling of linkage. We feel that we can make this
5 policy because, one, the project is being built on
6 Commonwealth tidelands. This gives the public very clear
7 rights to the developments, rights that we will test in
8 court if we have to. Two, this project is of an
9 unprecedented scale. It's thought of as of having an
10 impact on Boston similar to the filling in of the Back
11 Bay. Three, this project will threaten South Boston as a
12 neighborhood, the artists community, and will have an
13 inflationary effect on all housing prices across the city.
14 The other problem that we have (inaudible) is that the
15 developers say they want to make the units available to
16 first-time home buyers, but they are proposing all one and
17 two bedroom units. My family perfectly fits under the
18 MO of a middle class, hard-working household that can
19 afford to buy, but cannot afford to buy in the present
20 market conditions. We want to stay in Boston. We have
21 two children, both of them in the back there screaming
22 their lungs out. These Fan Pier units won't do for us,
23 or other families, any good because there aren't enough
24 bedrooms for ourselves and for our children.

1 One of the things that we find most frustrating
2 is that the developers, with the help of the BRA, are
3 acting like they are doing so much more than they really
4 have to. Take linkage, the proposal is for 100 to 150
5 units of the off site affordable housing. It is nothing
6 more than a housing creation option under linkage. The
7 developers are not giving any more than any other
8 developer has; the option to do under linkage just like
9 T.J. Maxx. The BRA and the developers are trying to look
10 they are doing the maximum for the minimum.

11 Also, the artists should not be pitted against
12 other South Boston residents. They are an asset to their
13 community and should be given the fifty units of live/work
14 space they have been requesting, a living and working
15 place, not just twenty thousand dollar studios.

16 Finally, I just have a few more points I would
17 like to make. I'm glad that the BRA will be voting on the
18 PDA today. And I actually think that the process has not
19 been a major problem, except getting in here today. The
20 process has been inclusive, but the Citizens Advisory
21 Committee began with the assumption that this development
22 would go forward. We must concern ourselves with
23 substance. Profit is nice, but it doesn't help the people
24 of Boston who are displaced and who can't find affordable

1 housing, and those who are caught up in traffic
2 nightmares. I think that it is time for Boston, and
3 Mayor Flynn to become directly involved with this project.
4 This whole neighborhood is at stake. This is really
5 Flynn Pier, not Fan Pier. It's the Mayor's Copley Place.
6 The Mayor has to push the BRA to get more.

7 And lastly, contrary to popular belief, Boston
8 is not dependent upon Anthony Athanas, or any other
9 developer. That's backwards. They are dependent on us.
10 We don't have to agree to projects that may be more
11 detrimental than beneficial to our city. The fear seems
12 to be that we have to accept Fan Pier even though it may
13 destroy neighborhoods and create an unsolvable traffic
14 nightmare, and the tax linkage revenue argument simply
15 does not wash given the fact that this project could end
16 up costing the Government more money than it takes in in
17 taxes because of the huge transportation and
18 infrastructure (inaudible). We need to learn to plan
19 before we commit ourselves to this specific development
20 and not spend our time trying to (inaudible) as Fan Pier
21 becomes more and more a fait accompli. This new Boston
22 economics is the cruelest joke every played on lifetime
23 residents of Boston. While developers have patted
24 themselves on the back for their efforts as urban

1 pioneers revitalizing Boston, the new Boston they have
2 created has no place for the working, middle class,
3 lifelong residents and their children. Fan Pier will just
4 become another trendy, new Yuppie hot spot that my family
5 and I could not afford to patronize and that we probably
6 will never get to visit.

7 I thank you for your time.

8 CHAIRMAN FARRELL: Thank you, Ms. Gambale.

9 Anyone else to speak in opposition? Sir?

10 Ms. Gambale, would you care to make your
11 statement part of the record? If you care to make your
12 statement part of the record, would you give it to
13 Mr. Simonian, please.

14 MR. COHEN: Good afternoon. My name is Arnold
15 Cohen. My residence is 17 Park Road, Belmont. And I
16 represent the Conservation of Law Foundations. CLF has
17 over three thousand members. Many of them live and work
18 in the City of Boston. CLF will be providing you with a
19 formal written statement within the comment period.

20 Today, however, I'd like to briefly outline
21 CLF's position on the Fan Pier project and try to put your
22 decision in a larger context.

23 Despite all the political furor, pro and con,
24 on this project, you, the BRA, has seen this case

1 (inaudible). Your job, under Section 31A of the Boston
2 zoning code, is to apply the law to the facts as you see
3 them. The law says that in order to approve the
4 development plan of the Fan Pier/Pier 4 project, you must
5 find--and I'm quoting--"that nothing in the plan will be
6 injurious to the neighborhood, or otherwise detrimental to
7 the public welfare." If there is anything of the facts
8 before you now which indicate that there is going to be
9 a detriment to the public welfare, you must withhold your
10 approval until the project agrees with certain conditions
11 or makes changes to ensure that those detriments will not
12 be realized.

13 The question arises, then, can you, as neutral
14 judges, sitting today, find (inaudible) as firmly proposed
15 (inaudible) further conditions, is free of any detriment
16 to the public welfare? The Conservation of Law
17 Foundations (inaudible). Let's look at the facts starting
18 with the traffic impacts of the project.

19 This project will sit at the choke point of one
20 of the most congested sections of interstate highway in
21 the nation, and straddles (inaudible) the major truck
22 shipping route serving the port of Boston. We all know
23 what daily traffic conditions are already like in the
24 city. The applicant's own environmental reports, and

1 comments from the City Traffic Commissioner, and State
2 transportation officials, all point to one conclusion.
3 The Fan Pier project will worsen existing congestion
4 beyond any reasonable level unless several key
5 improvements and action take place. Those include the
6 timely availability of the third harbor tunnel,
7 superaccess roads for the depressed central artery, the
8 (inaudible) operation of a veritable fleet of suburban/
9 intown shuttle buses, the imposition of a stringent and
10 enforceable parking ban on South Boston, not to mention a
11 whole host of signal change road improvements.

12 Now, despite the fact that everyone agrees that
13 these new improvements are necessary conditions to the
14 process, we searched the proposed development plans and
15 the corporation agreements in vain for any commitment by
16 the applicants to fund these improvements, or, in the
17 alternative, to legally condition building of the project
18 upon these actions and improvements (inaudible). This, we
19 submit, simply will not do. You may not license this
20 project on the strength of a wish, or a mere hope, that
21 all will be well ten years from now. Part of the test
22 before you today (inaudible); that is, that the city does
23 not lose its competitiveness in the sense of traffic use
24 because there is literally a choke in the traffic.

1 Those plans must contain binding assurances that the
2 necessary support groups will be funded to build, or the
3 developers will be (inaudible) accordingly if this system
4 is not in place.

5 We, therefore, urge you, before approving the
6 proposed plan for Fan Pier Project, to require the
7 commitments and conditions that I have alluded should be
8 in place and legally binding.

9 Another important issue which must be addressed
10 before you can approve these development plans is a degree
11 of fit between the proposed development and the harbor
12 projects. The State coastal agencies, when they comment
13 on this project in the State environmental review process,
14 were unanimous in questioning whether the current project,
15 as designed, was consistent with the meaning for public
16 access to one of the City's most precious resources,
17 Boston harbor. As we move towards a full Boston harbor
18 cleanup, it is all the more important to think seriously
19 about what we want to last, to be developed (inaudible),
20 made in the waterfront site of the inner city. To be
21 piled with high tech, high-rises would be the remaining
22 public spaces, and uncomfortable wind and shadow during
23 (inaudible) of the year?

24 The City's own Harborpark IPOD, I would point

1 out, establishes a limit (inaudible), and indeed, in some
2 cases, more than five times that described length. There
3 is a good argument that disturbing the City's long-term
4 goals of a hospitable, low-rise waterfront (inaudible).

5 Now, I want to make it clear that CLF and
6 others are not opposed to development. No one, and
7 certainly not my organization, wants to see this site
8 remain (inaudible). The waterfront is a public resource.
9 And Fan Pier tries out the design like no public use.
10 Because the current design is not (inaudible), the BRA
11 should acquire substantial enhancements of the quality
12 of the space on the site.

13 Now, I have addressed these two issues right
14 here, and our written comments will elaborate on others,
15 such as the need for binding insurance, commitment on
16 sewage infrastructure related to the project. I just want
17 to return, briefly, to my written report. Your obligation
18 is to (inaudible), indeed, a judicial one. You have to
19 weigh the facts before you in a detached and (inaudible)
20 fashion and determine whether this project, without
21 further conditions and requirements, may cause a detriment
22 to the public welfare. I submit that the job is made
23 almost delicate by the fact that the mission has changed
24 somewhat, since the mid-1960's, when Boston was simply

1 simply starved for development. Now, the issue is not
2 when the developers come to Boston, but how. I think that
3 (inaudible) must carefully weigh the costs, as well as the
4 proposals, to seek legally binding conditions to make sure
5 the development does not threaten the very quality of life
6 that has made a vibrant and growing place. With careful
7 attention to these issues, the Conservation Law Foundation
8 is confident that we can have a development on the Fan
9 Pier site that makes the city both prosperous and proud.

10 Thank you very much.

11 CHAIRMAN FARRELL: Can we have that statement
12 for the record? I understand you will submit a more
13 detailed one.

14 MR. NIETER: My name is Bob Nieter. I am here
15 on behalf of the Massachusetts Tenants Organization. My
16 resident address is 23 Union Street in Dorchester. And my
17 organization's address is 14 Beacon Street in Boston.

18 The Mass. Tenants Organization has over two
19 thousand members in Boston, and we are part of the Boston
20 Linkage Action Coalition. We respect the work that the
21 CAC has done, and we agree that progress has been made
22 in improving the public benefits of this project. But,
23 we believe the number of affordable housing units provided
24 is simply not enough. It is not enough when 4,600 units

1 were converted to condominiums in Boston in 1986, and
2 there are a thousand more that have already been converted
3 in the first three months of 1987. It's not enough when
4 only eleven hundred affordable units were constructed in
5 Boston in 1986, despite strenuous efforts by the Boston
6 Redevelopment Authority and other city agencies. With the
7 thousand high-priced units being constructed as part of
8 this project on an average price of a quarter of a million
9 dollars, the hundred on site affordable units are simply
10 inadequate to the need in the city and to the obligation
11 of the developers of Fan Pier/Pier 4 have to the people
12 of Boston. That obligation exists, both orally and in
13 law. The project has been built on Commonwealth tideland,
14 and our organization and others believe that obligates
15 the developers to create a public benefit larger than the
16 ten percent inclusionary zoning requirement, which the
17 Mayor has already proposed as the policy for our private
18 developers in this city.

19 We believe the most pressing need is affordable
20 housing. Mayor Flynn and the Boston Redevelopment
21 Authority will have been played for chumps by the
22 developers if they don't get more than what is currently
23 being proposed in affordable housing on site at this
24 project.

1 We also support the call for additional
2 attention to the need for artists' space in the project,
3 and in the surrounding area. Our membership includes
4 artists who face eviction from their current space because
5 of the deinstitutionalization that has occurred both in the Fort
6 Point Channel area and other areas of the city. We would
7 urge that the BRA not approve the PDA until the need for
8 more affordable housing has been addressed by the
9 developer.

10 CHAIRMAN FARRELL: Thank you, sir.

11 Getting back to our regular format, we will now
12 ask for--give thirty minutes to people who wish to speak
13 in support of the proposal.

14 MR. NIGRO: Mr. Chairman, my name is Joe Nigro,
15 general agent, secretary/treasurer, of the Boston Building
16 Trades. I started out with a copy of a speech that said,
17 "Good afternoon," and now, "Good evening."

18 The only thing that I haven't heard is--maybe
19 environmental will check it out--whether we're going to
20 check the construction workers' underarm deodorant. But,
21 the Boston Building Trades represents over 35,000
22 construction workers in greater Boston. Over seven
23 hundred of them own homes and live in South Boston.

24 Speaking in favor of the Fan Pier/Pier 4

1 project, we would like to stress--stress this very
2 emphatically--this is one billion dollars in private
3 investments. It is estimated that over seven million
4 man hours--you've heard that--will be worked. They bandy
5 figures around like that quite easily. And this is over a
6 ten year period. Now, I'll break down the seven million
7 man hours towards what it really means, and this is true
8 linkage, not only the eighteen million dollars Mr. Athanas
9 is giving forward, but it's also twenty-five percent of
10 real wages we give to the real linkage, State and Federal
11 taxes. Twenty-five percent of the total for a
12 \$140 million in real wages will be paid by Boston
13 construction workers. \$140 million dollars rolls over
14 from the Boston construction workers five times in the
15 community. It doesn't stop and go right into its pocket.
16 It goes to stores in the community, in the neighborhoods.
17 It goes to improving the housing that the people live in,
18 and it goes to better educate every child that is a member
19 of the construction community. That's just the wages,
20 \$140 million.

21 You take their fringe benefits on top of that.
22 You take a two dollar per house, and that's the average--
23 what a construction worker pays for his health and welfare
24 program. That is \$14 million in man hours that this

1 project will generate, \$14 million that will be spent in
2 hospitals, doctors' offices, dental offices, eye care
3 units, and hearing units. It goes on and on and on,
4 \$14 million that we can use, and that people enjoy. That
5 is linkage.

6 An average of four dollars per hour goes to
7 pension funds, deferred incomes, and retirements to these
8 construction workers out of that money that we have spent
9 here. Those pension funds, that will amount to
10 \$28 million that will be reinvested in the community over
11 the future years. Right at the present time, the Boston
12 Building Trades is taking twenty-five percent of their
13 pension funds and investing it in low and moderate income
14 housing. Twenty-five percent of \$28 million in pension
15 funds is another \$7 million in linkage for low and
16 moderate income housing.

17 One billion dollars in private investments not
18 only gives the community a boost, but it also provides
19 job security for those in the trades. When a building
20 tradesman is secure, his time is spent in his community,
21 giving back to his community and his church through
22 projects like the Family in Brookline. They are committed
23 to \$250,000 of free labor. Rosie's Place, \$250,000 of
24 free labor. Christmas lights on the Boston Common,

1 \$60,000 in free labor. Long Island Hospital for the
2 Homeless, \$10,000. The Family House in
3 Roxbury/Dorchester, \$80,000. The municipal building in
4 South Boston, \$50,000. The Harrington School in Lynn,
5 rewired at the cost of \$60,000. That is all free labor
6 done by linkage. That's true linkage. We also support
7 the Muscular Dystrophy Foundation, last year to the tune
8 of \$80,000. The United Way, Perkins School for the Blind,
9 the Leukemia Foundation, the New England Home for Little
10 Wanderers, just to name a few of the groups and
11 organizations that benefit when the building trades are
12 working.

13 During the period 1975 to 1978, this city was
14 dead. And it can very easily happen in a very short
15 period of time here. The construction workers in Boston
16 passed throughout the country looking for jobs. They
17 became dependent--the dependent group, dependent on
18 unemployment compensation and Food Stamps. Their families
19 were broken and separated, and to this day, some of their
20 lives have not been repaired or reunited. The stress of
21 unemployment should not be fostered in any society who has
22 within its means a chance to create jobs, especially
23 through private investments. I respect the position of
24 all those who have spoken here today, of all the civic

1 groups who have negotiated these projects, but there comes
2 a times when negotiations must end and let the jobs begin.
3 Negotiations carried too far might just speak to back off
4 private investment because negotiations with a nonprofit
5 margin can lead to disaster.

6 In closing, I would like to thank all of you
7 for your time today which I hope will produce an
8 expedient approval of the Fan Pier project. Thank you
9 very much, Mr. Chairman.

10 MR. ROSS: Good evening. My name is David
11 Ross. I reside on Lexington Avenue in Cambridge. I'm
12 Director of Institute of Contemporary Art at 955 Boylston
13 Street in Boston. We are an institution comprised of
14 4,000 members, eighty percent of which live in the City
15 of Boston and pay taxes to the City. I am here to speak
16 in support of granting a PDA for the Fan Pier's project.

17 I believe that the Fan Piers are offering a
18 very significant opportunity for this City. The project
19 must be commended for including designs by some of
20 the greatest architects of our time, carefully conceived
21 and highly creative urban plan. If I may quote from
22 last month's Architectural Record, "It may be too soon
23 to know for certain, but we will eventually look with
24 the same appreciation with which we view the work of

1 "Burnham, Avalon, McQuinn, and others who are the nation's
2 urban design" (inaudible) on this plan that we are
3 considering today. Already, it appears to be (inaudible)
4 design in architecture, recognizing the brilliant work
5 that has been done by this team of architects and urban
6 designers working so hard to create something great for
7 the City of Boston. In particular, the developer's
8 decision to include on site space for a new Institute of
9 Contemporary Art must be hailed as a major act of public
10 spirited patronage unprecedented in recent history.

11 Present plans offer the City of Boston to use a
12 State grant to build an approximately one hundred thousand
13 square foot building on the site, which will be donated on
14 the basis of a long-term leasehold by HBC Associates and
15 Anthony Athanas. Private funds will be used to fund the
16 operation of this significant cultural facility. The
17 building will include over thirty-five thousand square
18 feet of galleries, a small theater for our well-known
19 independent film program, and a medium scale theater for
20 our programs in the performance arts in dance, workshops
21 and classes for the thousands of Boston school children
22 each year that we now serve in a small facility on
23 Boylston Street which will conclude--which will be able
24 to be increased tenfold in the facility on Fan Pier.

1 We will be building a store, a restaurant, and many other
2 visitor amenities.

3 Presently, we serve some one hundred thousand
4 visitors a year in our ten thousand square foot facility
5 on Boylston Street. We expect to serve over a quarter of
6 a million visitors, many of whom will be Boston residents
7 and taxpayers, and the remainder of whom will be tourists
8 in the city, patronizing the city's hotels, restaurants,
9 and paying into the general tax base of the city.

10 This will be the first major cultural building
11 built in Boston in many years. It will be the first great
12 museum for the twenty-first century. If Boston does not
13 choose to enrich its cultural heritage now, in a time of
14 relative prosperity, when will it do so? A great deal of
15 the acknowledged charm and attractiveness of this city
16 today is directly attributable to such public cultural
17 facilities. The short and long term benefits of similar
18 projects undertaken in cities such as Los Angeles and San
19 Francisco, with whom we are competing for convention
20 business, and for quality of life, are widely recognized.
21 It is clear to us that Fan Pier is an ideal location for
22 a cultural facility, as is demonstrated by the proximity
23 and success of the Children's Museum, the Computer Museum,
24 the Boston Tea Party ship, and the New England Aquarium.

1 We believe, and hope, that the ICA will play an important
2 role in the continued development of the city's
3 harborfront museum community.

4 Of real importance to us is the fact that the
5 Fan Pier and Pier 4 developments are the results of
6 exciting plans from some of the world's more significant
7 architects. Such a location is just all the more logical
8 for the Contemporary Art Institution. Located on the
9 western edge of the project, the new ICA facility will
10 greatly increase access to the Fan Pier and Pier 4 by a
11 wide spectrum of society by serving as an attraction,
12 drawing people to the water's edge.

13 I should take note-- I should like to note that
14 we believe that the nature of the building's use is
15 unlikely to materially impact traffic, and particularly
16 rush hour traffic the area. Our greatest periods of use
17 will come on weekends, during evenings, and by school
18 groups using buses through the middle of the typical
19 workday.

20 Finally, the Fan Pier and Pier 4 proposed
21 cultural facility will fill a void currently existing in
22 Boston's cultural community, while complimenting the
23 City's plans for a downtown cultural center. The time
24 is right for Boston to develop the major contemporary

1 art facility Boston needs and deserves in expanding
2 (inaudible) art. Boston needs the Fan Pier project.

3 CHAIRMAN FARRELL: Thank you, sir. Would you
4 hand your statement to our secretary. While you are at
5 it, here's a number of other letters of people who support
6 the Institute of Contemporary Art, which I will make
7 part the record. I have a letter from Harold Widett
8 of Widett, Slater & Goldman supporting the ICA, and a
9 letter from Edgar P. Bowman, and a letter to John Booth
10 Cabot, (inaudible), John Campbell of the Shawmut
11 Corporation, Ron Druka of the Druka Companies, James T,
12 McBride, Touche Ross, Mass. Envelope supporting the
13 ICA, John Taylor Williams of Conlin Door, Steven Mindick
14 of the Phoenix, supporting the ICA at the Fan Pier site.

15 MS. PEACH: My name is Robin Peach. I live at
16 176 Commonwealth Avenue here in Boston. And I am the
17 Executive Director of the Fort Point Arts Community. I am
18 also a member of the Citizens Civic Advisory Committee.

19 I come here today representing over three
20 hundred adults who have established a resident community
21 in the Fort Point Channel/South Boston area. These people
22 are engaged in a livelihood of making art. You have
23 already heard a lot of about this afternoon. This
24 community has been a stable community for over fifteen

1 years, but equally important, the people who live in this
2 community and work in this community are the citizens of
3 Southie, folks that teach in the schools, work in the
4 stores, businesses, and contribute immensely to the
5 community (inaudible).

6 The artists who have studios in the Fort Point
7 Channel area are the residents of the impacted area of the
8 Fan Pier/Pier 4 development projects. As residents of the
9 area, these artists will be eventually displaced with the
10 rise of the real estate market and establish (inaudible).

11 It is the Fort Point artist community (inaudible). We
12 believe that the development of the Fan Pier/Pier 4
13 project should use part of its Chapter 91 public benefit
14 requirements. Definitely-- It definitely could serve the
15 South Boston residents with affordable long-term housing
16 opportunities. In addition, it should help stabilize
17 the artists' neighborhood that is already down there and
18 contribute affordable live/work space.

19 We are not the only people who believe this.
20 As I said, I am a member of the CAC. On January 27th,
21 the CAC wrote a letter to Secretary Hoyt and the EIR
22 conference, and I quote from the letter: "The project
23 will also place particular pressure on the adjoining
24 Fort Point Channel artists community. The project should,

1 "therefore, create new affordable live/work space suitable
2 for artists' studios." The BRA has also supported our
3 position in requesting for affordable live/work studios in
4 the public benefits package. And I quote from-- Director
5 Coyle said it to Secretary Hoyt on February 2nd, "The
6 Authority is concerned about the impact of this project on
7 the adjoining Fort Point Channel art community where the
8 availability of (inaudible) will be accepted by the
9 project. Since such space is scarce in Boston, owing to
10 unique requirements (inaudible), the developers should
11 create approximately fifty units of affordable artists'
12 loft space either on their development site or within the
13 impact study area, in which the present artist community
14 is situated.

15 In addition, our office has received over a
16 dozen letters and phone calls which I can submit from
17 other arts organizations within the City supporting the
18 inclusion of artists' live/work studio space in the
19 overall development public benefits package.

20 The proposed cooperation agreement, as has been
21 presented, does not address these specific requests.
22 Instead, the developer is offering twenty thousand dollars
23 for a feasibility study, without further commitment to
24 find adequate live/work space. This is a totally

1 adequate solution to the neighborhood displacement issue.

2 We are in support of the project. We would
3 like to go on record as being in support of the project.
4 I am hopeful that the developer will be able to work with
5 the BRA and the CAC to establish a live/work space in the
6 overall package without taking anything away from the
7 other public benefits that have been offered by the
8 developers. We feel that a creative solution can be found
9 to this problem, and until this is done FPAC cannot
10 support this project, but we, of course, look forward to
11 the resolution of this problem. Thank you.

12 MR. LEE: I am Todd Lee. I am the principal of
13 Todd Lee, F. R. Clark, 148 State Street. I live at
14 One Bellingham Place, Boston. I am speaking for the
15 Boston Society of Architects. I'm a member of a design
16 company, and I represent the Fan Pier (inaudible) team in
17 support of BSA members of the CAC.

18 The BSA has twenty-five hundred members
19 (inaudible). We will be submitting written testimony,
20 by-the-by in the period. The BSA (inaudible) supports
21 very strongly the project. It seems a majority of
22 architects have agreed that the design represents a
23 natural extension of the fabric of the city, a scale
24 and the density of the form, all appropriate to the

1 city's growth, and is also appropriate specifically to the
2 site. We commend the development team and commend the
3 Redevelopment Authority, both for this seriousness of
4 purpose. The designs that have come out of this effort
5 seem to be quite remarkable.

6 CHAIRMAN FARRELL: May I interrupt you for just
7 a moment? Is that the position of the BSA? Was a vote
8 taken?

9 MR. LEE: This is the position of Fan Pier
10 Focus Team of (inaudible), and you will get written
11 testimony of that.

12 CHAIRMAN FARRELL: Thank you.

13 MR. LEE: I must say that it wasn't unanimous,
14 but it was the vote of the majority.

15 CHAIRMAN FARRELL: What was the vote?

16 MR. LEE: It was about 2 to 11. There is
17 always a antagonist.

18 CHAIRMAN FARRELL: I know.

19 MR. LEE: I would like to say that the BSA
20 welcomes the variety of the project, and the variety of
21 design professionals. We're glad to have some Boston
22 work. We're very glad to have some superior work from
23 around the town.

24 The specific design is not that very

1 (inaudible), but we believe that there have been detailed
2 responses to the specific issues that were raised in the
3 EIR. In terms of the Fan Pier, and you have alluded to
4 this in editorial comment, we believe that there the
5 buildings are no longer separate buildings standing in a
6 park. There is a very serious effort to make urban
7 spaces, to not have space left over, but that the way
8 (inaudible).

9 There has been a real serious (inaudible) in
10 minimizing the impact of parking around (inaudible). The
11 development landscape design has enhanced the pedestrian
12 experience. There has been a lowering of the perceived
13 height of the island which we find salutary. There has
14 been a linking of the public spaces so that there is a
15 nice flow of progression to the island. The passageway
16 through the hotel is working much more nicely in that
17 linkage. It is very attractive.

18 In the Pier 4 development, and in specific the
19 whole urban composition, we seem to have a lot of variety,
20 a good deal of grace, and a consistency of the downtown
21 Boston waterfront, which is laudable. And our earlier
22 comments are shown to have been responded to, largely, in
23 these drawings.

24 We have some small concerns, which you will

1 see. We would still like to see service access more
2 below grade if that were possible, with a tunnel that goes
3 under the canal. It would be good. There is (inaudible)
4 that we continue to be concerned about, whether it links
5 at the outboard water edge of the Fan Pier and Pier 4, but
6 these are rather minor concerns compared to our overall--
7 the success that we think the project represents.

8 The overriding concern, I think, is that this
9 is now becoming a master plan of great elegance. And the
10 Boston Society of Architects hopes that, through its
11 membership in CAC, and through the BCDC, and through
12 whatever other appropriate channels there are, that the
13 -concerned design professionals in the city can continue to
14 play appropriate roles in the development of the project.
15 The approval of a master plan is very important.
16 (Inaudible). We believe that this plan is worthy of the
17 aspirations of the city.

18 CHAIRMAN FARRELL: Mr. Lee, I take it, then,
19 that-- And I would like to know this. It's important to
20 me. The position of the BSA would be that the fact that
21 there are eight or so architects collaborating on the Fan
22 Pier is not detrimental to the development of Fan Pier?

23 MR. LEE: On the contrary. We feel it is
24 a brilliant stroke because it is such a large development

1 to have the arrogance of one architect put his stamp on
2 the whole thing. It would probably produce a much less
3 satisfactory result.

4 CHAIRMAN FARRELL: Thank you. Will you make
5 your statement available to the secretary?

6 MR. LEE: I would rather present the---

7 CHAIRMAN FARRELL: Thank you. Thank you.

8 MR. BRECKER: My name is Kenneth Brecker.
9 I am the Director of the Children's Museum at Fort Point
10 Channel Museum Wharf. I reside in Brookline, 15 Davis
11 Avenue.

12 The Children's Museum will be seventy-five
13 -years old next year. I think it would be fair to say it
14 has become a national institution, as well as a very
15 important one for all the neighborhoods of Boston, in
16 fact, for the Commonwealth. We moved to Fort Point
17 Channel in 1979. We were described as pioneer abutters
18 in the Channel. We moved there because we believed that
19 being in South Boston, and being on the Channel, could
20 give us an advantage, the advantage being that we could
21 be there for everyone, for every neighborhood, for every
22 community.

23 We are in support of the plans for development
24 of Pier 4 and Fan Pier, and we have certain concerns.

1 These concerns come from the fact that we are now serving
2 750,000 people a year, 500,000 in the museum and another
3 250,000 in outreach programs. And also, we have sister
4 institutions, the Computer Museum, which serves another
5 80,000 people, and the Tea Party Ship Museum, which serves
6 400,000 people.

7 So with around a million people coming down
8 to Fort Point Channel, our concern is the following; that
9 during the construction period, with hundreds of
10 thousands of school children who come every year and come
11 down to the museum, seven days a week, that their safety
12 be given the utmost consideration. With hundreds and
13 hundreds of trucks coming through for the construction, we
14 find that the safety of those children may well be in
15 danger. We have been unable, up to this point, to secure
16 traffic lights, although that's right on the corner of
17 Dorchester and Congress Streets, (inaudible) and Congress
18 Streets. These seem imperative to us. We have also asked
19 for crossing guards. Children, and particularly people
20 with disabilities--on Wednesdays, the museum is open only
21 to people with disabilities--and they have many major
22 problems crossing the street, and will be (inaudible)
23 during construction.

24 Our second concern is the transportation issue.

1 The developers who are working with us, and are concerned
2 with this as well, are planning a transportation program,
3 or ideas for transportation which may not serve the
4 children who are coming to the museum in our after school
5 programs. They may create a terrific shuttle service to
6 (inaudible) the development, and Government Center, or
7 South Station, but at the (inaudible) we are not sure-- It
8 is not secure that those buses and new developments will,
9 in fact, allow pedestrians, children in particular, to get
10 off at the museum and come to the museum. That is very
11 important to us.

12 And third, I would urge the BRA, and the City,
13 and the concerned citizens who are here today, to include
14 Fort Point Channel in their thinking about the future of
15 this part of Boston. The Harbor Walk, the amenity which
16 is the waterfront in Boston does not end at the old
17 Northern Avenue bridge, or the new Northern Avenue bridge.
18 It ends with Fort Point Channel. It continues, I would
19 say, down to Fort Point Channel, and we are concerned
20 that there has not been enough thinking as to how one
21 will have access to that area, whether there will be a
22 dark and dangerous tunnel under the new Northern Avenue
23 bridge, or whether it will be possible for school children
24 to cross six lanes of traffic on the new bridge, or if

1 they will be able to walk if they want to walk in what I
2 think will be a very beautiful development along that
3 pier, and then find that they can't get on to Fort Point
4 Channel itself.

5 I thank you very much for your time.

6 CHAIRMAN FARRELL: Thank you, sir.

7 I'm going to let the pendulum swing back now
8 the other way, as we agreed upon in the beginning. Is
9 there anyone here who wishes to speak in opposition to
10 the proposal?

11 MR. GLENN: Mr. Chairman, my name is Paul
12 Glenn, and I am president of the Fort Point Art Community.
13 My residential address is 13 Dwight Street in Boston, and
14 my working address is 34 Farnsworth Street in Boston.

15 I would just like to take a moment to speak
16 with this committee. Early on in the meeting, Mr. Coyle
17 read a letter from Mayor Flynn which talked about growth
18 and change in the life of the city. And I think that
19 that letter contains some very good points that everyone
20 should bear in mind. I would like to stress that the
21 Fort Point Channel Arts Community--as we call ourselves
22 FPAC--throughout these proceedings, we have never really
23 opposed the project and the building of the project. As
24 a matter of fact, we see the development and change as a

1 very good thing for our area.

2 CHAIRMAN FARRELL: Do you oppose it now, sir?

3 MR. GLENN: We do in a certain sense. I am
4 speaking now-- I felt that I could either speak in the
5 negative or in the positive because we do support the
6 project, however we have some grave reservations about
7 what the project will do to our community.

8 CHAIRMAN FARRELL: Didn't your president just
9 speak?

10 MR. GLENN: Our director has spoken in support
11 of it.

12 CHAIRMAN FARRELL: Well, are you speaking for
13 -yourself now? Are you speaking for someone? I'm a little
14 confused. The president of your group spoke for it, and I
15 assumed that----

16 MR. GLENN: The director of our group supported
17 it.

18 CHAIRMAN FARRELL: All right, director. I
19 assumed she was speaking for the Fort Points Arts
20 Committee.

21 MR. GLENN: Yes. Then, I am speaking as an
22 artist in Fort Point Channel.

23 CHAIRMAN FARRELL: For yourself?

24 MR. GLENN: Yes.

1 CHAIRMAN FARRELL: Thank you.

2 MR. GLENN: As an artist in Fort Point Channel,
3 I also happen to be president of FPAC. And again, I state
4 the position that the project, although we---

5 CHAIRMAN FARRELL: Sounds as though you don't
6 get along too well together.

7 MR. GLENN: No, we get along great.

8 CHAIRMAN FARRELL: I assume your relationship
9 to Ms. Peach is somewhat similar to my relationship with
10 Mr. Coyle.

11 MR. GLENN: Probably so. We can make a fair
12 assumption that that might be the case.

13 But continuing on, I just had a couple of
14 things. I would like to reaffirm the position that I had
15 taken at a CAC meeting some time ago, and that was at
16 the end of a meeting that was on public benefits. I got
17 up and presented the case that this is a very interesting
18 project that is going to do a lot for the Fort Point
19 Channel, and that the reason it is so interesting, and
20 that it's so vital, is that there are three components
21 here in terms of the arts and the City of Boston.

22 First, the Director of the Children's Museum
23 just got through speaking. We do have the Children's
24 Museum along with the Computer Museum and the Tea Party

1 Museum that are already in place. David Ross, from the
2 ICA was here to speak, and the ICA is certainly going to
3 be an incredible addition to that area, and is going to
4 bring people into that area. The third important leg of
5 to that triad that I see, and as I have stated before, are
6 the artists who have live/work spaces and are residents of
7 the Fort Point Channel area, and that these people are
8 essential to maintain a vital community because we are not
9 just one group of people, but that the City of Boston is
10 the total of a lot of people, and that it is necessary for
11 us to maintain our studios in that area and any assistance
12 will be most appreciated.

13 Thank you.

14 CHAIRMAN FARRELL: Thank you, sir.

15 Anyone else in opposition? If there is nobody
16 else to speak in opposition to the proposal, I will now
17 hear again from those who would speak in support.

18 MS., SPEAKER: Hi. I'm Marilyn (inaudible). My
19 residence is 31 Osgood Street in Somerville. I'm the
20 director of (inaudible) which is located at 354 Congress
21 Street.

22 (Inaudible). We're here to strongly encourage
23 and to support the inclusion of artists' live/work space
24 in the Fan Pier development. Artists make a huge

1 contribution to the quality of life in Boston. The
2 ongoing artists community is the lifeblood of the cultural
3 community without which (inaudible) purpose. The work of
4 artists is as important as any other profession or
5 business. Yet, artists are in a vulnerable position
6 because, by its very nature, artwork is not income
7 producing in a regular and reliable way. It cannot be
8 treated by the same standards of other businesses where
9 goods and (inaudible) translate into financial profit.
10 Great artists often live and die poor. This means that
11 their work must be supported by the community. The City
12 of Boston has a responsibility to treat its artists with
13 care and respect, to acknowledge their contributions and
14 protect their vulnerabilities. In a city that is
15 flourishing in so many ways, it would be a great mistake
16 to let an opportunity slip away that could provide
17 respectable housing and work space for these important
18 citizens.

19 We appreciate the services that the City and
20 State provides to organizations such as ourselves, and
21 we look forward to seeing them continue. With the housing
22 issues getting worse all the time, that can only be
23 remedied by taking positive actions to protect communities
24 like artists who would otherwise be displaced from their

1 homes and studios. We look forward to your support.

2 Thank you.

3 CHAIRMAN FARRELL: I would like to take this
4 opportunity, just before we start, to make some more
5 letters part of the record in support: a letter from
6 Mr. Robert Cummings of the Greater Boston Convention and
7 Visitors Bureau in support; a letter from Arts and
8 Humanities' Kim Coleman, director of Government Relations,
9 in support; and a statement from the Greater Boston
10 Chamber of Commerce, who would like to be recorded in
11 support of the Fan Pier/Pier 4 projects. And in terms of
12 the development plan, I'll make those statements part of
13 the record at this time.

14 Sir.

15 MR. ALEKNAR: After four attempts to the
16 podium, I didn't know whether I was going to make it.
17 My name is John Aleknar. I live at 1636 Columbia Road,
18 South Boston. I am the owner of (inaudible) Square
19 Hardware which is located at 628 East Broadway in South
20 Boston. And I am here representing South Boston Port of
21 Trade, which is an organization located in South Boston,
22 representing merchants and the local businesses in the
23 area.

24 I am here to express our support for the entire

1 project and express that here today. I am also here to
2 apply the developer's commitment in supplement to the
3 cooperation agreement to reach out and encourage local
4 businesses, particularly businesses located in South
5 Boston and local South Boston merchants, to participate
6 in the Fan Pier retail opportunities that will become
7 available when the project is underway.

8 I would also like to thank the Fan Pier and
9 Pier 4 Advisory Committee for their insistence that such
10 a provision be provided within the contracts between the
11 BRA, the developers, and the associated parties. As a
12 resident of South Boston and merchant, I would also like
13 to thank the Citizens Advisory Commission for the dramatic
14 effort that they have put out within the last two years
15 to advance all the interests of the people and the
16 organizations and merchants of South Boston. The business
17 I own and operate has been in existence since the 1920's.
18 It's a business my grandfather started, and I am now
19 carrying on sixty-three years later. (Inaudible), but I
20 believe the CAC has done a wonderful job in addressing
21 the issues that are of concern to both the merchants,
22 the residents, and the neighborhood as a whole. We
23 believe that it's a positive thing for South Boston.
24 Again, I would like to thank you for this opportunity to

1 speak. And that's it.

2 CHAIRMAN FARRELL: Thank you, sir. If you
3 have a statement, we would like it to be made part of the
4 record.

5 MR. BENTON: My name is Peter Benton. And my
6 business address is 142 Berkeley Street here in Boston.
7 My residential address is 25 Forsythe Road in Brookline.
8 I am here representing three organizations in support of
9 a Fan Pier/Pier 4 project. The first of these is Cellular
10 Enterprises, which is also located at 142 Berkeley Street.
11 I am also representing Mr. Edward J. McCarty, who is
12 president of the City of Boston Cab Association. They are
13 also in support of the Pier 4/Fan Pier project. I would
14 also like to evidence my support as a private citizen,
15 because when I heard the summary of the environmental
16 impact study of Skidmore, Owens & Merrill, it brought back
17 a personal recollection of the one hundred story John
18 Hancock Center building in Chicago located at 8875 North
19 Michigan Avenue. This hundred story building was focused
20 on a three and a half acre plot on North Michigan Avenue,
21 one of Chicago's busiest thoroughfares. And you can just
22 imagine the environmental outcry of various citizens and
23 interested individuals as to the problems this huge
24 project would create.

1 Today--this is about seventeen years later--

2 I know of no major problems that occurred as a result of
3 this tremendous structure. And if you ever go to that
4 city and go to the top of that building, you can
5 experience the impact that people thought the structure
6 would have in the community. And I was pleased to hear
7 Skidmore's summary of the story, because, as I look back
8 over an experience covering a period of years and the
9 (inaudible), I would only say this to the (inaudible) of
10 this gentleman; that is that (inaudible) across the land,
11 indeed the world, are projects representing the finest
12 architectural landmarks on the face of the earth. The
13 John Hancock Center in Chicago is one of these. And, as
14 I study this presentation this afternoon and reference
15 material, I say Boston is on the threshold of a location
16 in our city that is second to none in this part of the
17 country, perhaps all of our nation.

18 So, thank you for your attention.

19 CHAIRMAN FARRELL: Thank you, sir.

20 MS. McLOGAN: I'm Jean McLogan. I live at
21 9 April Road in Weston. My business address is
22 One Federal Street, Boston. I'm here speaking on behalf
23 of the Boston Wharf Company, owner of thirty-three acres
24 of land abutting this project, with seventy-five buildings

1 three (inaudible) square feet of space.

2 We think our office building tenants will
3 benefit substantially from the amenities that William
4 White described so enthusiastically here today. We also
5 hope that the area can benefit from the infrastructure
6 improvements that are spurred by this project. But the
7 City must ensure, through this (inaudible) process that
8 development and the infrastructure go forward together
9 in a sensitive timetable. We don't want later projects to
10 be precluded by overbuilding transportation facilities.
11 I can speak from personal experience that this has been
12 an open, thorough, and due process. I, up until last
13 -year, was involved in the Advisory Committee representing
14 Boston education (inaudible). I haven't personally been
15 involved in the public review process the past year, but
16 the proponents have been talking with us regarding the
17 Boston Wharf Company's concerns about traffic.

18 So, speaking for the Wharf Company, we are
19 satisfied that, on balance, the project will have a
20 positive effect on the area and should now be allowed to
21 go forward. Thank you.

22 CHAIRMAN FARRELL: Thank you, madam.

23 MS. KELSEY: My name is Mary Kelsey, and my
24 address is 319 A Street, South Boston. I'm a member of

1 the Fort Point Arts Community and the treasurer. And I
2 have three letters from different arts organizations,
3 specifically from the Brick Bottom Artists Group of
4 Somerville, from Arts Boston, and from the Boston Center
5 for the Arts, requesting that you consider our request
6 to include artists work/live space. And I would like to
7 introduce those letter.

8 CHAIRMAN FARRELL: Please give them to
9 Mr. Simonian. Thank you.

10 CAPTAIN DICERCIO: Members of the Board, my
11 name is Captain Alan Dicercio. And I own and operate
12 AC Cruise Line which is on the property. And I reside at
13 -28 Northern Avenue in Boston.

14 My comments today are in addition to my written
15 comments on the final environmental impact report of the
16 Fan Pier/Pier 4 project. My family and I have operated
17 (inaudible) since 1976. We look forward to the new growth
18 that is going to come to this area from the Fan Pier
19 development.

20 The two hotels and restaurants, the shops, and
21 the cultural centers, the Harbor Walk, and open park space
22 will all result in (inaudible) traffic and activity in the
23 Northern Avenue area. This, in turn, will give new vigor
24 to our business. AC Cruise Lines is looking forward to

1 assisting developers in the City of Boston with their
2 plans for the water taxis and the water shuttles in the
3 harbor area. We have had ongoing positive discussions
4 with Mr. Friedman, Mr. Hall, and their counsel, Mr. Kerr,
5 relative to our long-term assistance in our present
6 location. We appreciate the commitments made by the
7 principals of HBC Associates to AC Cruise Lines. I,
8 therefore, urge you, the Boston Redevelopment Authority
9 Board, to approve this cooperation agreement so the
10 project may proceed.

11 If I may, I'd also like to put on another hat.
12 Our president for the Massachusetts Association of
13 Passenger Vessel Owners was here, but he had to leave
14 because he was ill. I would like to say that I do not
15 have his written statement, but I would like to go on
16 record for the Passenger Vessel Owners to say that we are
17 in support of the project. We think tourism and the
18 hospitality industry are going to benefit greatly by
19 the hotels and restaurants (inaudible). We do share in
20 the reservations of the Shipping Association as to the
21 traffic problems, but I am sure they will be worked out.
22 We also have some reservation about the Fan Pier
23 (inaudible). The Association feels that there is not
24 enough dock space dedicated to excursion boat activity.

1 And as (inaudible), we would like to have that (inaudible)
2 provided with bulbs and finger piles so that excursion
3 vessels of the current size can utilize that bulkhead and
4 the (inaudible) ships could also berth there. There is
5 plenty of water at the bulkhead. It is in excess of
6 twelve feet, and we are sure that it is a usable bulkhead
7 space which should be made usable so that it could be
8 utilized in future use.

9 Thank you.

10 CHAIRMAN FARRELL: Thank you, sir.

11 MR. DONLEVY: (Inaudible). I'm the (inaudible)
12 director of World Trade Center in Boston. The World Trade
13 -Center of Boston (inaudible).

14 (Inaudible) and as you know and have heard,
15 Anthony Athanas came to this area quite some years ago,
16 and he was willing to take a chance to develop a
17 restaurant that has now become a world renowned
18 restaurant.

19 Now, he and the Fan Pier developers are
20 proposing a plan that will transform mostly vacant and
21 publicly inaccessible space in what we think is a very
22 special, space (inaudible). We support that. The World
23 Trade Center of Boston has tenants of many businesses who
24 use our facility, foreign trade missions, all the other

1 people who do business at the World Trade Center of Boston
2 will benefit from the increase in the public amenities
3 and the increase in cultural facilities, and the increase
4 in restaurants and services. We are satisfied that the
5 Mayor, Ray Flynn, the BRA director Steven Coyle, the BRA
6 staff have worked very closely with the developers over
7 the past several years to ensure that this projects fits
8 into the fabric of this city and its neighbors, and we are
9 probably the closest neighbor. Therefore, we support it.

10 Thank you.

11 CHAIRMAN FARRELL: Thank you, Mr. Donlevy.

12 MR. SARNO: Mr. Chairman, Board members, I
13 didn't expect to speak, but I feel maybe-- My name is Andy
14 Sarno. I'm a business representative of Carpenters Local
15 33, Ten Drydock Ave. in Boston. Our union has been in the
16 city for 103 years. I thought maybe I could----

17 CHAIRMAN FARRELL: Where do you live, Mr.
18 Sarno?

19 MR. SARNO: I live now presently at 58 Everett
20 Street in Saugus, Mass. Seventeen years of my life I
21 lived at 65 Allen Street, West End, Boston till they asked
22 us to leave.

23 But I would like to pinpoint-- Well, it's
24 interesting that they said we could come back to

1 housing. I don't think anybody from the West End has been
2 able to come back to afford any of that affordable
3 housing.

4 I would like to speak on the job linkage, and I
5 thought I might enlarge on it where the funds that are
6 going to be used for (inaudible). I thought I might make
7 notice that the Boston Carpenters Union, Local 33,
8 presently has a program working with the city to take city
9 residents that are dropouts, low income people,
10 (inaudible).

11 I thought maybe that some information should be
12 made available that we are in place, and we are willing to
13 work with Mr. Athanas, who has contacted us many times,
14 and we appreciate that. And when the project does get
15 started, we are willing and able to take care of this
16 city's residents.

17 Thank you.

18 CHAIRMAN FARRELL: Thank you for your
19 commitment, Mr. Sarno.

20 MR. ENNEN: My name is Thomas Ennen. I'm the
21 Executive Director of the Boston Harbor Associates. My
22 home address 63 (inaudible) in Cambridgeport, and my
23 office address is 300 Congress Street. We're in Chelsea.

24 The Boston Harbor Associates Board of Directors

1 voted to support the development of Fan Pier and Pier 4
2 (inaudible).

3 (Inaudible) and the transportation service to
4 the area is significantly improved so as to (inaudible)
5 of the project. (Inaudible).

6 I would ask the Board not to act in any way
7 so as not to interfere with the process of (inaudible).
8 With regard to public access, I especially want to say
9 it is an (inaudible) and the actual environmental reviews
10 of the design.

11 On the third point of transportation, we'd
12 have to stand, as while being a member of the advisory
13 (inaudible). Effectively, our committee (inaudible).
14 (Statement inaudible.)

15 The development that you are considering today
16 is predicated, in our judgment, and based on the reports
17 on the construction of the seaport access roads, and the
18 third harbor tunnel, and a series (inaudible) roadways,
19 improvements, as described in the documents which you have
20 seen, but I willing to emphasize predicated on those
21 developments. Those are not mitigations. It is clear
22 that the developer (inaudible) documents of mitigations
23 that the developer is going to be required to address.
24 But these major roadway constructions, it is part of the

1 basic plan that makes this project work. It's part of
2 opening this section of the city of Boston to
3 development, and it's part of protecting that vital
4 seaport industry, the water dependent businesses. In
5 fact, the City's (inaudible) protect the access in that
6 area.

7 As far as we can understand from looking at the
8 technical documents, this thing is laid out like a Swiss
9 watch. Each tick of a road (inaudible). There have not
10 been the kinds of detailed inter (inaudible) that tie the
11 roadway buildout to the buildout of these buildings, but
12 it is perfectly clear that they are linked together. My
13 offices are right down in the area. Everyday, I observe
14 the circumstances in and around (inaudible) Square and
15 out into the (inaudible). What we recommend-- What we are
16 going to be seeking-- We very much appreciate the
17 extension of time you offered us. You made the offer to
18 City Board, to the developer, and other people involved,
19 the opportunity to sit down and work (inaudible) which
20 clearly states in the controlling legal documents the
21 opportunity for this Board on an annual basis to look
22 at how the project is progressing. In real terms,
23 relative to infrastructure, we are looking for language
24 which will provide the opportunity for this Board

1 (inaudible) to come in and establish what may be in fact
2 at some point (inaudible); that in spite of all the
3 (inaudible) on the part of the City's capital programs,
4 and on the part of the (inaudible) will secure funding
5 (inaudible) and that those roadways for some set of
6 reasons that history give us a lot of examples for that
7 lag will lag a month, to a year, to two years. When that
8 lag occurs relative to this project, the effect on this
9 project is that if somebody wants to get to the airport,
10 they are going to get on a boat to get to the airport.
11 If they want to get to a meeting uptown, they can walk out
12 of there. If they are going to get in a car and try to
13 -drive, they are going to be delayed. The effect very well
14 may be that (inaudible) for somebody to get home. When
15 those lags occur relative to the seaport, you're going
16 to end up--sixteen hundred businesses in New England
17 depend on deliveries from that area. There are many jobs
18 involved. (Inaudible) are substantial. And with them,
19 it is not simply a matter of being delayed. It's going
20 to be significant economic impact on the businesses.

21 We want to thank the Board, the director, the
22 staff, Mayor Flynn, and Larry Dwyer for (inaudible). We
23 cannot find an example of a better advisory committee
24 process where the developer (inaudible). We are

1 particularly appreciative of this because (inaudible)
2 harbor. But I encourage the Board to provide the support
3 to Director Coyle, Mr. Dwyer and the developers to resolve
4 what for us is the last remaining thing that prevents us
5 from being in total support of this project.

6 Thank you, Mr. Chairman.

7 MR. FARRELL: Thank you, sir. Do we have
8 anyone in the audience who wishes to speak in favor of the
9 PDA? I assume there is nobody left to speak in
10 opposition.

11 That being the case, I would like the record to
12 note that it is now 7:03 p.m. Since that is the case, I
13 would invite a motion then that the hearing be suspended.
14 And as I indicated earlier, opponents and proponents will
15 be given until Monday, March 30th at 12:00 o'clock to
16 submit any further written material that they want to,
17 and that both sides will have-- When I say both sides, I
18 mean opponents and proponents will have until Thursday,
19 April 2nd, to submit any written rebuttal to material that
20 has been submitted.

21 MR. DONLAN: Mr. Chairman, I have two
22 questions. I would like to ask two very brief question.
23 We had representatives here from Newton and Belmont ask a
24 couple of questions. And the gentleman from Newton asked

1 a question about the subject of enforceability and
2 followup on some of these commitments. (Inaudible). And
3 also, the gentleman from Belmont established what I
4 thought was a new legal standard, or perhaps he didn't
5 understand the legal standard. And I think perhaps
6 Mr. McCann could speak to that, as to the legal standard
7 applicable to this Board.

8 MR. McCANN: The subject matter, I recall, is
9 that----

10 CHAIRMAN FARRELL: I think what Mr. Donlan is
11 referring to, specifically, is the fellow from
12 Conservation of Law group. He stated, and I thought it
13 was a little broad when he stated, that this Board cannot
14 approve these PDA's unless they find that there is no
15 adverse effect upon the community.

16 MR. McCANN: Mr. Chairman, I have in front of
17 me the Section 31A I suspect you are relating to about
18 what a development plan must include. It must include
19 the following: the filing of a proposal, open space,
20 landscaping, (inaudible), parking (inaudible), exterior
21 building materials and such other matters as the Authority
22 deems appropriate in its consideration of the proposed
23 development. This project complies with all the
24 applicable standards. The ordinance goes on to say,

1 (inaudible) cannot approve the project unless said project
2 finds that such plan, and the details of the plan, I just
3 read, conforms to the general plan of the city as a whole
4 which we have numerous documents here to indicate that it
5 does, and that nothing in said plan should be introduced
6 to the neighborhood, or otherwise detrimental to the
7 public welfare. It is clearly a two pronged (inaudible).
8 This is the same situation that was discussed by the
9 Conservation of Law Foundation in the New England Life
10 case, and it has been decided that (inaudible) does not
11 apply to not one item, but whether it is harmful to the
12 general welfare of the community as a whole, and not to
13 whether there is one item that may be (inaudible). So,
14 that case has been settled. It's up on a pier. We
15 believe it is not as the Conservation of Law Foundation
16 has stated it.

17 MR. DONLAN: Also, we had a law professor
18 in Newton speak to the subject of the contract drafting.
19 I think generally we would all we would think it
20 appropriate to look at-- What are the vehicles to go
21 forward from here or from a proceeding in which all
22 these matters are considered, and when you enter into
23 a role of implementation, how do these matters implement--
24 How is (inaudible) pursued? How are they monitored?

1 How are they influenced?

2 MR. McCANN: I should point out that the PDA
3 process does not include a requirement for a corporation
4 agreement. A corporation agreement is a process that the
5 Authority has established in order to set up a contractual
6 (inaudible) between the PDA policy and the Authority
7 itself. It is not required by the statute. And as we
8 have stated before, the corporation agreement at this
9 level of submission to the Authority as a supporting
10 documentation of the development panel is simply a draft
11 document. It will be amplified, clarified by the
12 presentations that were presented to the Authority today
13 at a public hearing. But I will point out that that
14 corporation agreement has been drafted by two of the
15 largest law firms in the city of Boston, Hale & Dorr,
16 Ropes & Gray, and that it can be amplified and will be
17 clarified, but it is not as the gentleman has spoken.

18 MR. WALSH moved for suspension of the hearing.

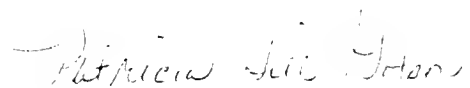
19 CHAIRMAN FARRELL: As I have already outlined,
20 the matter will be taken under advisement. All in favor?
21 Opposed?

22 (Adjourned.)
23
24

C E R T I F I C A T E

I, PATRICIA HILL GOLSON, verbatim stenomask stenographer, do hereby certify that the foregoing transcript, Pages 1 through 185 inclusive, were taken by me verbatim and thereafter reduced to typewriting and is a true record of the testimony of the proceedings to the best of my ability.

Dated in Boston, Massachusetts, this 2nd day of March, 1987.



PATRICIA HILL GOLSON

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